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ABSTRACT

The following eleven papers and appendixes were presented at this conference: (1) "The Exceptional Child: A New Challenge for Exceptional People," by Leonard Baca; (2) "A Theoretical Framework for Bilingual Instruction: How Does It Apply to Students in Special Education," by Fred Tempes; (3) "An Overview of the Requirements of Special Education (SB 1870) and Bilingual Education (AB 507)," by Eunice Cox and Maria Vasquez; (4) "Issues Regarding the Use of Interpreters and Translators in a School Setting," by Victoria Medina; (5) "Second Language Acquisitions: Implications for Assessment and Placement," by Jackie Kiraithe; (6) "Developing a Bilingual Individual Education Plan for Language Minority Students," by Henriette Langdon and Dennis Parker; (7) "An Approach for Identifying Language Minority Students with Exceptional Needs," by Marguerite McLean; (8) "Technical Aspects of Formal and Informal Assessment of Language Minority Students: A Practical Approach," by Hilda Carder and Jim Morrison; (9) "How to Utilize Various State and Federal Agency Resources for Limited English Proficient Pupils with Exceptional Needs," by Irene Martinez, Penni Foley, and Maria Vasquez; (10) "One Approach In Teaching the Special Education Child," by Richard Pacheco; (11) [Perspectives on Special Education Services for LEP Students], by Olivia Martinez and others. (Author)

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SPECIAL EDUCATION

AND THE BILINGUAL CHILD

PROCEEDINGS OF CONFERENCE

HELD AT

PASADENA HILTON

DECEMBER 3, 1981

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Fall, 1982

National Origin Desegregation Lau Center
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THE EXCEPTIONAL CHILD:

A NEW CHALLENGE FOR EXCEPTIONAL PEOPLE

Dr. Leonard Baca, Director
BUENO Center for Multicultural Education
University of Colorado

It is really a pleasure to be here with all 650 of you supporters of bilingual special education. Coming to California is always very special and exciting for me. I say this because California is generally very innovative. Many new movements and creative approaches to various social issues have come from here. I was not surprised, for example, when I read in the Foresight Report, which is published in Stockholm, Sweden, that California along with Colorado, Florida, and Connecticut are the leading states in the sense of being trend setters in the area of social policy and practice. The trend setting, cutting edge type of leadership is certainly being demonstrated here this morning. This conference is a dream come true for those of us who are concerned and committed to the improvement of educational programs for exceptional children who are also of limited English proficiency (LEP).

As a state, you have certainly come a long way in the past ten years relative to the bilingual special education movement. Approximately ten years ago, I was in San Diego participating in one of the very first National Association of Bilingual Education (NABE) conferences. At that meeting, there was enthusiastic support and interest in bilingual education. I was unable at that time, however, to find any workshops or sessions directly related to bilingual special education. I did attend two very fine sessions that were indirectly related. The first was by Dr. Ed DeAvila and Dr. Joe Ulibarri

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on the Multicultural Assesment Project and the second on the litigation addressing the inappropriate testing, labeling, and placement of Chicano children into classes for the educable mentally retarded. This session was conducted by Dr. Henry Casso.

Today's conference, however, has a total of sixteen workshops for you to choose from. Dr. Ochoa, Ms. Vasquez, and Dr. Hurtado, the conference coordinators, along with the planning committee, are to be commended for their comprehensive approach in planning and implementing this meeting. Looking at the program, it becomes apparent that there is something for everyone. There are, for example, strands on assessment, administration, parent/community, instructional issues and methodologies. I personally am looking forward to participating in the maximum number of workshops and wish I could attend all sixteen.

The title of my presentation is "The Exceptional Bilingual Child: A New Challenge for Exceptional People." I would like you to focus your attention for a few moments on two key words in this title, namely, child and people. I am referring to the child who, through no fault of his/her own, is physically or psychologically impaired. This child or student, however, also happens to be of limited English proficiency. The people I am referring to are you and I, that is, first and foremost you the parents, then the rest of us teachers, aides, administrators, psychologists, social workers, diagnosticians, speech and language specialists, and other auxiliary support personnel. We are not only allies, but we are partners and we share the responsibility with you parents of providing a free and appropriate bilingual special education for your child. If we join our hearts and hands and do this together, we can help realize this goal of equal educational opportunity as well as equal educational benefits for all of our nation's children.

I have used the term bilingual special education. Does this mean that

we have a new field or specialization within education? Before I give you my answer to this rhetorical question, let me first back up a bit and talk about the development of special education. There was a time when special education was a little known and often misunderstood emerging discipline. It was not until after World War II that special education programs and classes in the public schools began to increase dramatically. This embryonic movement received a big push and a great deal of support from the passage of the Elementary and Secondary Education Act of 1964 and its various subsequent amendments.

In 1974, President Gerald Ford signed into law the Education of All Handicapped Children Act (P.L. 94-142). This is the most dramatic and comprehensive special education legislative enactment to date. With the passage of P.L. 94-142 came, what I would refer to as, the golden age of special education. Those of you who were special education teachers in the 50's and the 60's will remember what it was like teaching in church basements, old army barracks, Quonset huts, and so forth. You will also remember how we were isolated and excluded oftentimes in the faculty lounge, at faculty meetings, and other school activities.

Bilingual education has also gone through a similar developmental pattern as an emerging discipline since the passage of the Bilingual Education Act of 1968 and the many subsequent State bilingual education laws. Bilingual education has come a long way since 1968, but it has not quite reached its golden age in terms of support, acceptance, and status. This is perhaps why it is such a rigorous and dynamic discipline today.

A coalition between special educators and bilingual educators was considered impossible by most educators ten years ago. Linguistically different parents and their children have historically been very apprehensive, to say the least, about having anything to do with special education. This was, of course, due

to the problems of improper assessment, labeling, and placement of many students. Today, however, the pendulum has moved to the other side. There is now talk of underinclusion of LEP students in special education. Children with special education needs, who are dominant in a language other than English, are not being properly or appropriately taught in our schools. More and more people are calling for a bilingual approach to special education.

In the early days of special education, a very interesting article appeared in the literature. The title of the article was "What Is Special About Special Education?" The article raised some thought provoking questions about the identity of special education and its relationship to regular education. As bilingual educators, many of us have also been asked this same question. What is special about bilingual education? I am sure that everyone of us here today could list a number of things that are very positive and special about special education. Likewise, all of us could mention many of the beneficial aspects of bilingual education. Even though special education is targeted primarily at handicapped children, and bilingual education is targeted primarily at non-handicapped children, both disciplines are special because they comprise people who value individual differences and who seek to maximize each student's strengths as a learner.

Let us return now to our rhetorical question. Do we now have a new discipline and specialization within education called Bilingual Special Education? Yes, I believe we do. Your enthusiastic support of this conference through your presence is an affirmation of this. This conference, of course, is not an isolated effort. The Lau Centers in Milwaukee and Miami have also sponsored Bilingual Special Education conferences. Professional organizations such as the Council for Exceptional Children (CEC), The American Speech and Hearing Association (ASHA), the National Association of Bilingual Education

(NABE), the International Reading Association (IRA), and others are including Bilingual Special Education in their meetings and conventions, not only in terms of workshops and symposis, but also through special interest groups and special projects.

It is certainly exciting to be part of an emerging discipline and a new specialization. The merging of the best and most successful practices of special education with the best and most effective practices of bilingual education, certainly should improve the opportunities and services provided to handicapped children who come to our schools with limited English proficiency and a broad range of native language skills and communicative abilities. As you can see, we are faced with a tremendous challenge.

This challenge of providing an appropriate bilingual multicultural education for handicapped children who are also linguistically different requires a great deal of responsibility from all of us. First of all, we have the responsibility of learning from our past mistakes in both bilingual and special education. We cannot, for example, put an undue amount of energy into creating and proliferating another large categorical program. This would result in fiscal irresponsibility as well as harm to children. We must avoid at all costs the further unnecessary fragmentation of children's education. In addition to learning from our past mistakes, we must venture into the uncharted waters of the future. In so doing, I would like to encourage you to pursue the three following goals:

The first goal is the development of shared responsibility for the LEP handicapped child's education. In other words, how do we work together? First, we must be willing to put the child and his/her parents first and our specialized profession second. We have to share the turf. We must start talking to one another in plain Spanish or English and not in our specialized

jargon and educationese. We need to promote the development of new educational coalitions with parents, aides, teachers, specialized auxiliary personnel, and policymakers. We must be open to change and new approaches. We should be able to admit that we do not always have the answer but that we are willing to work together to find it.

The second goal I would like to encourage you to pursue is the improvement of your skills for working with LEP handicapped children. Staff development and inservice training should be reciprocal. Bilingual teachers should learn special education techniques and approaches from their special education peers and vice versa. I know that some of you have already participated in your State Department of Education's sponsored cross-disciplinary training in bilingual special education, both in Mexico as well as here in California. I would suggest that you explore different ways of teaming with and exchanging classes with other teachers and specialists in your building and district. In one of the sessions Olivia Martinez will share how some of this is being done in the San Jose public schools.

Finally, I encourage all of you to do your part in influencing policy related to the provision of quality services for LEP handicapped children. Sometimes it is merely a matter of requesting clarification of existing federal, state, and local policies. Other times it requires highly organized efforts of educating and convincing board members, legislators, and school administrators of the obligation and benefit of providing linguistically and culturally appropriate learning opportunities.

In closing, I would like to encourage you to continue the excellent job you have begun of providing an appropriate bilingual educational opportunity to your handicapped students, who are also of limited English proficiency. In working at this tremendous challenge you are truly becoming exceptional people.

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A THEORETICAL FRAMEWORK FOR BILINGUAL INSTRUCTION: HOW DOES IT APPLY TO STUDENTS IN SPECIAL EDUCATION

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California State Department of Education

In 1982, one of every ten students enrolled in the California public schools was of limited English proficiency (LEP). As with any large subpopulation, a portion of these LEP students has been identified as needing special education services. This paper has two purposes: First, to describe briefly an empirically supported theoretical rationale for the education of limited English proficient students and second, to examine some tentative implications of that theoretical viewpoint for the education of LEP pupils who require special education services.

A Theoretical Framework

Educational programs designed for language minority students have traditionally been based on a combination of legislative mandates and educators' best guesses as to effective treatments. Theoretical rationales for bilingual programs and other approaches, when they have been put forth at all, have been offered either to justify stereotypic misconceptions of language minority students or to clothe conventional wisdom in the cloak of scientific respectability.

Fortunately, the situation is changing. A growing body of empirical research in the area of bilingualism, bilingual education, and second language acquisition has provided the raw material by which educational theory, that both explains existing evidence and predicts future outcomes, can now be

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on the efforts of many researchers and educators. Principal credit must be given to the insightful work of the contributors to Schooling and Language Minority Students: A Theoretical Framework, developed by the Office of Bilingual Bicultural Education of the California State Department of Education (1981). Readers interested in a more in-depth discussion of the ideas presented in this paper are directed to that volume.

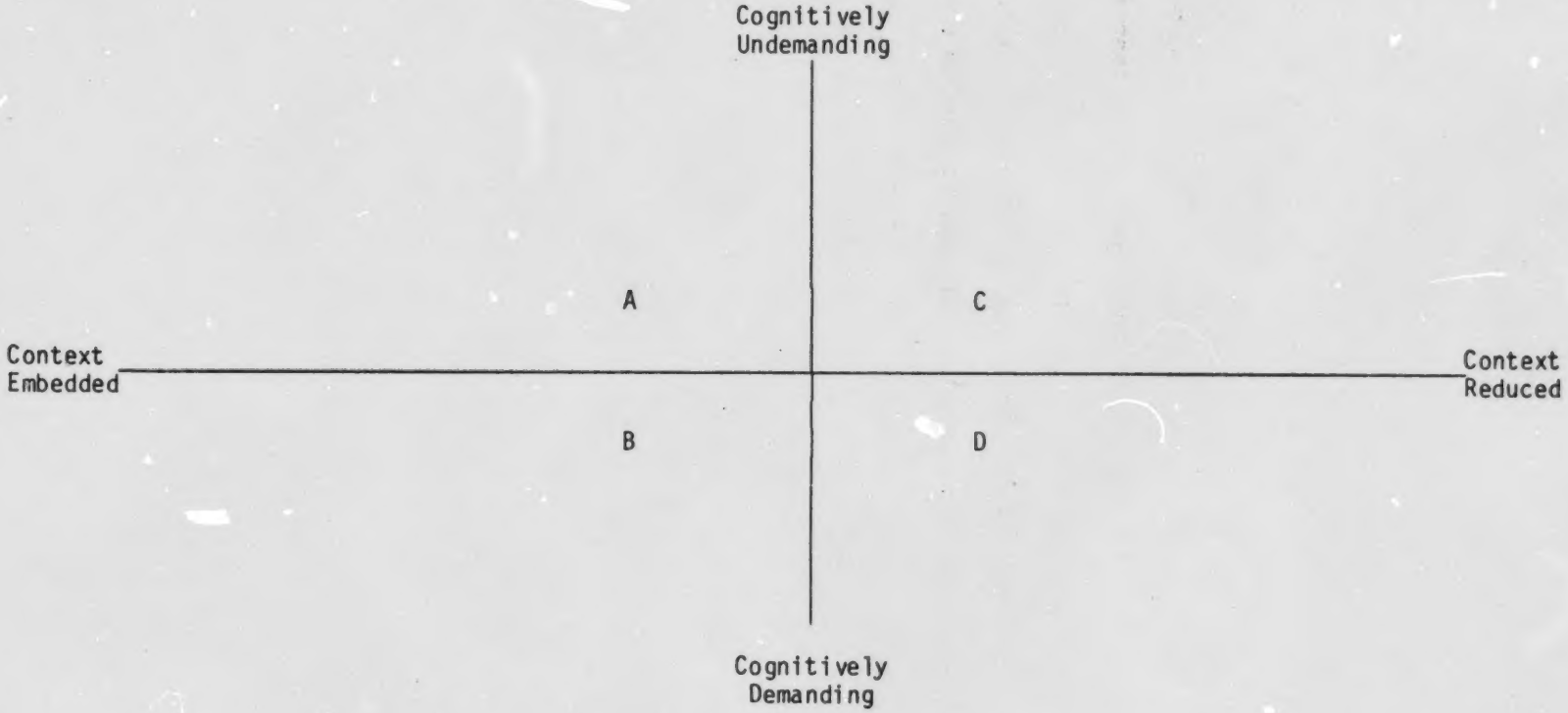
A Model of Language Proficiency

One logically might assume that because a group of students has been described as being of limited English proficiency, educators have a common understanding of what it means to be proficient in English. Unfortunately, that is not the case. Educators differ widely in their opinions as to when LEP students have the English language skills necessary to compete in English-only classrooms.

A model of language proficiency that explains the available evidence is put forth by Cummins (1981), who identifies at least two major dimensions of language proficiency: communicative language skills and academic language skills. In Cummins' view, all tasks requiring language skills may be placed on a grid formed by the intersection of two continua (Figure 1). The horizontal continuum in Figure 1, describes the amount of contextual support present in a task. At the context-embedded extreme of the continuum, meaning is actively negotiated between speaker and listener and the communication is supported by a wide range of contextual clues. An example of a context-embedded communication task would be determining whose turn is next during a game at recess time. At the other extreme of the continuum, context is reduced and few, if any, nonlinguistic or paralinguistic clues as to meaning are provided. An example of context-reduced communication might be the reading of a chapter in a history text.

FIGURE 1

Range of Contextual Support and Degree of Cognitive Involvement
in Communicative Activities



From Cummins, 1981.

The vertical continuum in Figure 1 on the previous page, relates to the cognitive demands of the communication task. An example of a cognitively undemanding task might be the experienced driver's reading of common traffic safety signs, an activity that has become so habitual as to be almost subconscious. At the other extreme, listening to a lecture in an unfamiliar field is very cognitively demanding.

Two important observations can be drawn from Cummins' model of language proficiency. First, almost all human beings develop the language proficiency, in at least one language, necessary to complete context-embedded, cognitively undemanding tasks (quadrant A). This type of language proficiency, which might best be described as basic communicative skills, is used to communicate messages, often in face to face situations, where the speakers share a common reality or understanding of the topic. Second, the ability to complete cognitively demanding tasks in context-reduced situations (quadrant D) varies greatly among the general population and seems based on one's inherent ability and access to educational experiences both in and out of school. Because tasks confronting students in school are more frequently found in quadrant D than in quadrant A, this type of language proficiency is best termed academic language proficiency.

Research supports an important conclusion that can be drawn from Cummins' work: Basic communicative skills in a language do not predict academic skills. An understanding of this finding is particularly crucial for the education of LEP pupils. As will be discussed shortly, LEP students will acquire basic communicative skills in English if they are motivated to do so and if they are exposed to sufficient and appropriate English input. However, being able to use English for basic communicative purposes does not predict the LEP pupil's success in an English-only classroom.

The Common Underlying Proficiency

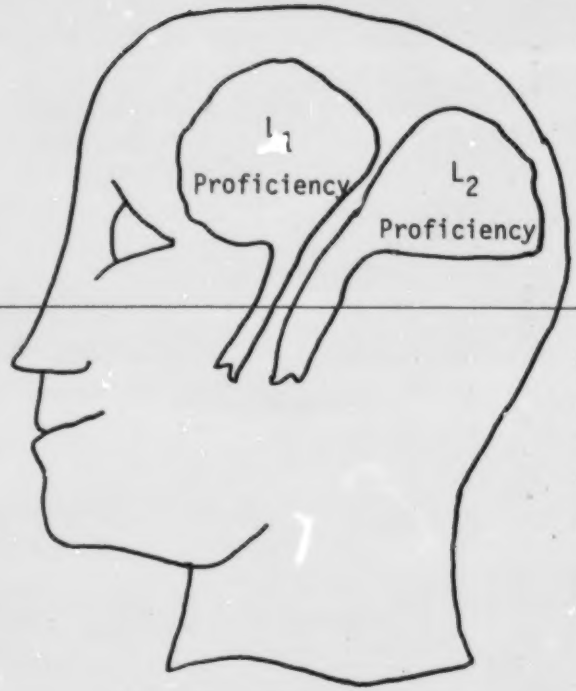
What does predict the LEP student's attainment of age appropiate academic language skills? The degree to which a student develops academic language proficiency seems a function of inherent ability and exposure to educational experiences. Many educators argue that since academic language skills must eventually be expressed in English, LEP students should be instructed through English. Equally vocal are educators who believe the LEP pupils should be instructed in their primary or home language until they are clearly able to perform in English.

These contrasting positions are related to two prevalent views of how bilinguals process and store language. These are illustrated in Figure 2 on the following page. One view holds that a bilingual's proficiencies in each language are developed independently and stored separately in the brain. Termed the Separate Underlying Proficiency Model, this position is illustrated in Figure 2 by a head with two balloons, each balloon representing a separate, language-specific proficiency. Instruction in one language will blow up the balloon of language proficiency for that language, but will have no effect on the other balloon, other than to reduce the space available to fill it. The practical implications of this model seem obvious: efforts devoted to developing proficiency in one language have no effect on proficiency in the other language and, indeed, may have negative effects by competing for a limited brain capacity. If there is a limited amount of time and mental capacity available, then efforts should be directed at developing proficiency in the more educationally, socially, and economically useful of the two languages (e.g., English in the United States).

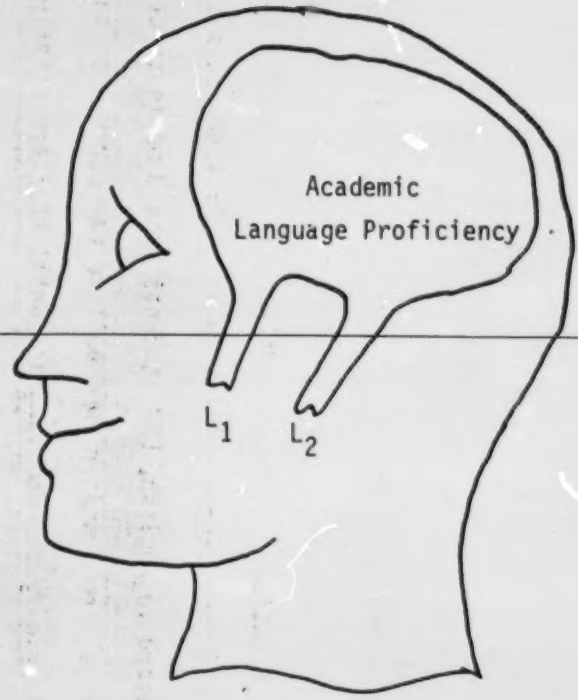
There is, however, a second view of bilingual proficiency illustrated in Figure 2. In this view, the bilingual's academic language proficiency is

FIGURE 2

Two Views of Bilingualism



Separate Underlying Proficiency



Common Underlying Proficiency

From Cummins, 1981

seen as interdependent across languages, not separate and totally specific to a given language. Development of this Common Underlying Proficiency through activities in one language is tantamount to developing the same proficiency in the other language. In other words, developing the ability to master cognitively demanding tasks in context-reduced environments in one language will provide the same ability in the other language.

Which view is correct? Despite its intuitive appeal, there is no evidence supporting the Separate Underlying Proficiency view of bilingual language proficiency. There is, on the other hand, ample evidence supporting the Common Underlying Proficiency Model. For example, evaluation studies comparing the achievement in English of LEP students in bilingual programs with similar students in English-only programs, have favored the students in the bilingual programs, despite the fact that bilingual program students received considerably less instruction in English than the comparison students (Rosier and Holm, 1980; Evaluation Associates, 1975; Egan and Goldsmith, 1981).

In addition, studies examining the relationship between age and rate of second language acquisition almost invariably show that older learners go faster than younger learners in handling academic language tasks (reading, vocabulary acquisition, exposition writing) in the second language (see Izzo, 1981, for a review). This finding is not surprising when one considers that older learners, through experiences in and out of school, have a more completely developed Common Underlying Proficiency than younger learners. Furthermore, studies which have investigated directly the relationship between academic language proficiency, as expressed in a first and second language, have typically found correlations in the .60 to .80 range (Cummins, 1979; Lapkin and Swain, 1979; Development Associates, 1980). For example, in a

given group of bilinguals, those who read best in language X will probably be the best readers in language Y. Conversely, those who are among the poorer readers in X will usually be among the poorer readers in Y. If there were little or no relationship between academic language proficiency in a first and second language, as the Separate Underlying Proficiency Model proposes, then the reported correlations would cluster around .00.

The implications of the Common Underlying Proficiency view of bilingual language proficiency for LEP students seem clear: Academic language proficiency will be enhanced through using the language of greatest facility. For most LEP students, this language is the home language.

Second Language Acquisition

Of course, to be able to express this Common Underlying Proficiency in English, LEP students need to acquire communicative language proficiency in English. The literature in second language development identifies two processes by which an individual might develop communicative proficiency in a second language: learning and acquisition (Krashen, 1981b; Stevick, 1980). When "learning" a language, students consciously attempt to know the language, to describe the rules governing the use of that language, to commit those rules to memory, and to apply them in order to generate grammatically correct utterances. Second language "acquisition," on the other hand, is a more subconscious process, similar to the natural process of acquiring one's first language. People who have acquired a second language often report that they "picked up" the language while living in another country or by exposure in the home. Although they are quite fluent in the language, they are often unable to describe the rules that govern the use of the language.

In planning an educational program for language minority students, one

is faced with a dilemma. Which approach is better: An approach that emphasizes "learning," an approach that depends on "acquisition," or some combination of the two? Current research suggests that, for the development of basic communicative skills, an approach based on contemporary theory in second language acquisition will be the most efficient and effective.

"Acquiring" a second language is dependent upon input, or the raw data, that the brain will process in order to generate utterances. As with a child acquiring a first language, second language acquirers need sufficient understandable linguistic input so that they can begin to make sense of the language. Krashen (1981b) uses the term "comprehensible input" to describe the type of linguistic data required for second language "acquisition."

In order for input to be comprehensible to the second language acquirer, it must have several characteristics. First, it must contain language (structures and lexical items) already known to the student, plus some language that has not yet been acquired. This "new language" can be understood through context (e.g., situation, concrete referents), paralinguistic clues (e.g., intonation, repetition, paraphrasing, syntactic and lexical simplification, clear articulation, reduction in rate of speech), and use of student's knowledge of the topic.

The student's ability to comprehend the new input will be enhanced by a second characteristic of comprehensible input, meaningful content. It is not sufficient that input focus on messages rather than form. To ensure maximum comprehensibility of the input, the messages must be intrinsically interesting to the students so that they are encouraged to persist in "negotiating meaning" (see Cummins, 1981).

A third characteristic of comprehensible input is that it need not be grammatically sequenced. Although we know that students tend to acquire the

structures of English in a predictable order (Bailey, Madden, and Krashen, 1974; Dulay and Burt, 1974; Krashen 1981b), it is not necessary to organize instruction according to that sequence. The focus on meaningful messages communicated in an understandable manner, will ensure that the appropiate grammatical structures are included in the comprehensible input.

Providing students comprehensible second language input, however, is not sufficient for language acquisition to take place. In order for optimum acquisition to occur, the raw material of language, comprehensible input, must be reached and be processed in the brain's language acquisition device. A number of affective factors, termed the "affective filter" (Dulay and Burt, 1977), may limit the amount of comprehensible input available for processing and either impede or facilitate the student's production of language. Such affective factors as low anxiety (Stevick, 1976), positive motivation (Gardner and Lambert, 1972), and self-confidence (Krashen, 1981b; Wong-Fillmore, 1979) have been shown to be positively associated with second language acquisition. Conversely, where students are anxious in the second language classroom, where they are not motivated to speak the new language, and where they lack self-confidence and self-esteem, acquisition will be impaired.

Summary

In summary, and at the risk of over-simplification, the theoretical framework outlined is based on three principles:

1. There are at least two dimensions of language proficiency: communicative language proficiency and academic language proficiency. The fact that a LEP student has acquired communicative proficiency in English tells us little about the student's ability to complete tasks requiring academic language proficiency in English.

2. Among bilinguals, the development of academic language proficiency is generally not language specific, but is best described as a common underlying proficiency which can be developed and expressed through either language. The choice of which language to use to develop this Common Underlying

Proficiency should, in most cases, be the language with which the LEP student has greatest facility.

3. LEP students will acquire communicative language proficiency if they are exposed to sufficient amounts of comprehensible English input in a positive affective environment.

Implications for Special Education Students

Although research on the LEP special education student has been sparse, the theoretical framework I have briefly described, along with some supporting research, does suggest some tentative answers to questions frequently raised in three areas: identification, language choice, and English instruction.

Identification

One clear implication that can be drawn from the theoretical framework affects the screening of LEP pupils for special education services: LEP pupils being screened for special education should be assessed in both English and their primary language. The necessity of screening in both languages is particularly crucial in assessing academic language proficiency (e.g., reading, writing, vocabulary acquisition). Although research findings indicate that LEP students usually acquire communicative language proficiency in English in two years, it takes these students from five to seven years to approach age-level norms in academic language proficiency (Cummins, 1981). Concern should be expressed, however, when language minority students lag significantly behind age-level norms in both languages.

Unfortunately, simply assessing language minority students in two languages is not enough. The interpretation of the result of the assessments must be done with an awareness of the relationship between being bilingual on the one hand, and academic achievement and cognitive development on the other. Studies of the relationship between bilingualism and academic achievement and cognitive development conducted in the first half of the century

almost invariably showed a negative relationship between bilingualism and intelligence and academic success (see Darcy, 1953, for a review). More recent studies, however, have often shown cognitive and academic benefits associated with bilingualism (Duncan and DeAvila, 1979; Kessler and Quinn, 1980; Development Associates, 1980; Bain and Yu, 1980; Swain and Lapkin, 1981). Although there has been a tendency to resolve this contradiction by citing the obvious methodological weaknesses of many of the earlier studies, a number of studies showing deficits associated with bilingualism meet most methodological challenges.

There is, in fact, a more reasonable resolution of the apparent contradiction. When one examines the relative language proficiencies of the subjects in the various studies, it can be seen that negative consequences are associated with what might be called "limited bilingualism" or less than native-like skills in either language. Finnish researcher Skutnabb-Kangas (1979) states that limited bilingualism is "produced in a situation where many different factors coincide: minority children from working class homes are forced to accept instruction in the foreign, majority, middle class language, and their own language has low prestige, both in the society and in the school" (pp. 17-18). Even though Skutnabb-Kangas was writing about Finnish immigrant children in Sweden, one can easily see that limited bilingualism is a common occurence in the United States as well.

"Subtractive bilingualism" is the term used to describe the process by which an individual becomes a limited bilingual. In the subtractive process, little effort is made by the individual, or institutions such as the school, to maintain and develop the primary language while the second language is being acquired. For school age children, a lucky few manage to "catch up"

linguistically to the native speakers of the second language. Many do not and pay the price of limited bilingualism.

The problem for special educators is that language minority students, who have undergone a process of subtractive bilingualism and have become limited bilinguals, appear to have language disorders or are academically handicapped. In fact, their language and academic skills only reflect an inappropriate education in a sociolinguistic environment that does not support development of their home language.

Language Choice

If an LEP pupil has been appropriately identified as requiring special education services, educators must then decide which language, English or the home language, to use for instruction. Many educators believe that some form of bilingual instruction would be of greatest benefit to such students, while others contend that instruction in two languages will only exacerbate the student's learning problems. This latter group holds that LEP special education students should be schooled exclusively in the language most used in this country: English.

Although not enough research has been done on this issue, the studies that have been done suggest that instruction in two languages is not detrimental to students of low intelligence or learning disabilities. Genesee (1976) compared the English language achievement scores of below average IQ, English speaking students in French-English bilingual programs and in English-only programs. He found no significant difference in the achievement scores of the two groups. In other words, instruction in two languages did no harm to these lower-than-average IQ students.

Research findings about the effects of bilingual instruction on students

with language learning disabilities is consistent with the findings reported for students of below average intelligence. Bruck (1978) found, in a longitudinal study, that students with language learning disabilities who were taught bilingually, acquired their basic skills at the same rate as similar students receiving monolingual instruction.

English Instruction

Few educators or parents deny the importance of English language proficiency for LEP children requiring special education services. How to best assist these students to develop communicative language proficiency in English should be an issue of concern to educators.

Research has shown that several factors influence the level and rate of second language development. Included among these are age, instructional method, attitudes, and aptitude. The question of the role of second language aptitude, which is strongly related to general intelligence and academic achievement, seems especially relevant in deciding upon instructional approaches for LEP special education students. Krashen (1981a) has hyphothesized that "the aptitude factor will show a strong relationship to second language proficiency in 'monitored' test situations and when conscious learning has been stressed in the classroom" (p. 161, emphasis added). It would seem reasonable that for students of below average intelligence or for those who suffer learning disabilities, approaches which stress acquisition rather than learning might be appropriate. This notion is supported by Genesee (1976) who reported on the acquisition of communicative language proficiency in French, of English speaking students of below, average, and above average IQ in French-English bilingual programs where much of the instruction was done in French using an acquisition approach. Genesee

found that, although the development of academic language proficiency was strongly related to IQ, all groups tended to acquire similar levels of communicative language proficiency. He concluded that, "in second language programs where the goals pertain to proficiency in nonacademic language skills, then a nonacademic approach to second language teaching may be more effective with students possessing a broad range of intellectual and scholastic abilities than programs which take an academic approach" (p. 500).

Summary

Application of the theoretical framework for the education of language minority students to LEP special education pupils suggests that:

1. LEP special education candidates should, to the extent instruments are available, be screened in both English and their home language.

2. The results of such screening assessments should be carefully examined to determine if the child, in fact, has a learning disability or is suffering the negative effects of subtractive bilingualism.

3. For many LEP special education students, bilingual rather than English-only instruction will be of greatest benefit to the student.

4. For many LEP special education students, second language teaching approaches that stress acquisition rather than learning are most appropriate.

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AN OVERVIEW OF THE REQUIREMENTS OF SPECIAL EDUCATION (SB 1870) AND BILINGUAL EDUCATION (AB 507)

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Introduction

Children with educational limitations require mandated services if their needs are to be met uniformly throughout the state. The legislative process at the federal level led to more refined and detailed procedures at the state level for both special education and bilingual education. The needs of the students in either of these programs are different, which necessitates different assessment, placement, and service components in each law. In common is the need for equal education opportunity for all students. Still missing is legislation that meets the unique needs of bilingual exceptional children; a vastly underserved population in California.

I. What are the major requirements for special education established in both state and federal laws and regulations?

The California State Legislature passed several legislative bills which altered Education Code, Part 30, which deals specifically with special education. General provisions of state law clarify that all individuals with exceptional needs must be provided appropriate programs and services which are designed to meet their unique needs. The following briefly summarizes the major provisions of state and federal law which apply to special education:

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1. A free appropriate public education (FAPE) must be provided to each eligible handicapped individual at no cost to parents.

2. An ongoing research effort must be maintained by the local education agencies to insure that all potentially eligible handicapped individuals are identified, located, and evaluated.

3. In order to facilitate the evaluation (assessment) of each potentially eligible individual, each approved Special Education Local Plan must contain written referral procedures and these should be made readily available in each LEA.

4. Upon referral for assessment, the responsible LEA must, within 15 calendar days, develop and submit to the parents a written assessment plan for their written consent. A multidisciplinary team should be involved in most assessment and no single criterion may be utilized as the basis for determination of eligibility.

5. Within a maximum of 50 calendar days from receipt of the parents' written consent to the assessment plan, the LEA must complete the agreed-upon time and place to determine the child's eligibility and to develop an individualized education program (IEP). The required components of the IEP are specified in both state and federal law. Linguistically appropriate goals and objectives must be included in the IEP for individuals whose primary language is other than English.

6. Placement of the child, a component of the IEP, must be in the least restrictive environment (LRE) to the "maximum extent appropriate." Operationally defined, LRE is the "regular educational environment."

7. Ongoing of the handicapped student's progress and a formal IEP review, at least annually, (or more often if parent or teacher requests) is mandated.

8. In California, psychological and health "evaluation" (assessment) is mandated "as early as possible in the second year" for all students placed in Resource Specialist Programs "for more than one year" who have failed to show expected progress, and an IEP team meeting to consider the results and to make recommendations for the pupil is presumed.

9. A full-scale formal reassessment must be conducted at three-year intervals for each student who remains in special education that long or longer (or "more frequently if conditions warrant, or if the child's parent or teacher requests").

10. The programmatic and funding models for delivery of special education and related services as required by state law are to be found in the California Education Code, Part 30. The local school district or county office has available, upon request, a desk copy of their Special Education Local Plan Area document, as approved by the Office of Special Education, State Department of Education.

II. What are the major requirements of AB 507?

AB 507, authored by Assemblyman Peter Chacon, modified previous bilingual legislation (AB 1329, Chacon) in several key areas. These modifications have been viewed by both proponents and opponents of bilingual education as a compromise that offers greater flexibility and clarity to previous requirements for bilingual education. The major areas of the legislation (contained in the Ed. Code Section 52160 et seq.) include provisions for:

1. Student identification, including measurement of the student's oral and written proficiency in English.
2. Diagnostic assessment, including measurement of the student's proficiency in the primary language.
3. Reclassification criteria and procedures for Limited English Proficient (LEP) pupils.
4. Placement in appropriate bilingual program (options a, b, c, d) or Individual Learning Program (e, f).
5. Annual academic achievement testing, and English and/or the primary language testing.
6. Reporting the number of LEP pupils on the annual census.
7. Establishment of a Bilingual District Advisory Committee, and Bilingual School Advisory Committee.
8. Staffing bilingual programs (a,b,c) with a credentialed bilingual crosscultural teacher* when there are 10 or more LEP students of the same primary language, and the same age or grade for program activities a,b, or c (K-6).
9. Parent notification of eligibility to participate in bilingual programs.

For additional details on these sections and other provisions, refer to AB 507 the Bilingual Education Improvement and Reform Act of 1980: Requirements for Implementation; California State Department of Education, 1981.

*A bilingual cross-cultural teacher holds a bilingual cross-cultural certificate of proficiency or other credential in bilingual education or has a waiver approved by the State Department of Education.

III. What sections of special education and bilingual education are similar? What are some recommendations for facilitating the implementation of these sections?

Concept of Equal Education Opportunity

Both bilingual and special education requirements are based on the notion that instructional services need to consider individual student needs, irrespective of race, color, national origin, or handicap. In essence, an equal educational opportunity is ensured when student differences are carefully incorporated into the planning and delivery of educational programs. Federal legislation clearly prohibits discrimination and denial of access to services based on race, color, national origin, and handicap.

This means that bilingual programs and special education programs need to ensure that differentiated instructional services are provided that take into account the student's unique characteristics. Bilingual programs should provide differentiated English language instruction (e.g., ESL) and use of the child's primary language to support and sustain academic achievement.

In special education programs, student differences are recognized particularly through the assessment and instructional phases. Student eligibility for special education must be based upon a multidisciplinary assessment designed to rule out environmental and cultural factors as the sole criteria for determining eligibility. Each eligible student must receive an Individualized Education Program (IEP) based on the student's needs due to a handicapping condition(s). When necessary, the IEP must also include linguistically appropriate instructional services.

In facilitating the adherence to the concept of equality, local bilingual programs (i.e., Lau Plans) and local plans for special education should contain provisions that clarify the purpose, services, and process for articulation among programs. This might include details on how nondiscriminatory

practices will be ensured in the assessment, placement, and delivery of education services to eligible students. The following briefly summarizes how bilingual education and special education are related.

Student Identification

Special education law includes procedures for identifying students ranging from birth to age 21. Local plans for special education should contain details on how students within this range will be served. In contrast, bilingual education requirements are limited to grades K-12. Both special education and bilingual requirements are not tied to funding, which means that eligible students are to receive appropriate services whether or not the local educational agency receives categorical funds.

Diagnosis/Assessment

While these terms are often used synonymously, there are critical distinctions with respect to bilingual and special education programs. Diagnosis, as used in bilingual programs, refers to the conducting of additional assessment(s) in the child's primary language and English for the purpose of comparing student's proficiency in both English and the primary language. This comparison of proficiencies provides information for determining the language to be used for instructional purposes. Diagnosis does not affect student eligibility for bilingual services. Diagnosis also means that a student's language proficiency may also vary one skill area to another.

Assessment, as defined in special education law, includes a multicriteria based procedure wherein testing in a variety of areas (i.e., psychosocial, motor, intellectual, communicative status, etc.) enables the assessment team to determine student eligibility.

The assessment results form the foundation for the Individualized Education Program (IEP). The individual student assessment in this sense is similar to the diagnosis performed under AB 507, yet the purpose is different. In special education, the results of the assessment are used to determine eligibility of the child's IEP. In bilingual education, the diagnostic assessment is used to determine the strengths/weaknesses in the child's first and second language so that the language of instruction can be designated.

LEP students referred for special education assessment may have bilingual diagnostic information on file that should be included during the IEP process. The sharing of assessment data enhances the likelihood that linguistically and culturally appropriate goals will be developed and implemented based on student needs. This further ensures that LEP students are not prematurely or inaccurately labeled as handicapped solely on the basis of their limited English proficiency.

Placement

LEP students may be placed in a regular bilingual classroom (options a, b, c, d) or in an individual learning program (e, f) prior to referral for special education. Placement in a bilingual program, whether or not the student is eligible for assistance from other programs, is made subsequent to the language identification process (LEP, FEP) and should include at minimum:

1. English language development.
2. Utilization of the student's primary language for sustaining achievement.
3. Participation in activities which promote positive self-concept and crosscultural understanding.

The delivery of instructional services should be done by a bilingual cross-cultural teacher when there are ten or more LEP students of the same primary

language at a grade or age level in grades K-6. When there are fewer than ten students in grades K-6 and for all students in grades 7-12, an Individualized Learning Program (ILP) designed to individualize bilingual services must be provided at a minimum. When a LEP student additionally qualifies for special education services, a wider range of placement options becomes available. For example, a LEP student with exceptional needs may participate in designated instructional services (DIS), a resource specialist program, special day class or center, non public school or one of the state schools. Selection of the appropriate option for these handicapped LEP students should include among other considerations, the following:

1. The extent to which LEP students can benefit from instructional services with nonhandicapped LEP students, i.e., resource specialist program.

2. The extent to which linguistically appropriate goals and objectives based on diagnostic information in both the primary and second language are incorporated into the IEP.

During the development of the IEP, the assessment team needs to ensure that such a plan incorporates the appropriately modified ILP requirements. Incorporation of the ILP into the IEP is recommended for LEP students eligible for special education. Modification of the ILP requirements should consider at least the student's handicapping condition, language proficiency, and learning potential. For additional information on how to integrate the ILP and the IEP, see Appendix D on "Parallel of State Requirements on Bilingual Education and Special Education."

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ISSUES REGARDING THE USE OF INTERPRETERS AND TRANSLATORS IN A SCHOOL SETTING

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Introduction

Almost half of the state's children come to school with culture and linguistic experiences different from the schools' expectations or preparations. Providing equal educational opportunities within a multilinguistic society would be impossible without bilingual interpreters and translators. However, many of these personnel are untrained for their roles within educational settings. The needs of the schools can lead to successful use of bilingual personnel but cautions and limitations must be observed until they are fully trained.

I. What kinds of needs are there in schools that require the use of interpreters and translators?

School districts have a responsibility to recruit certificated bilingual/bicultural personnel to assess and plan for students from linguistically and culturally different environments. In addition, due process provisions state that parents must give "informed consent" for assessment, educational placement, and planning for their child. Often the parents are not from the English-speaking core culture. Special educators are faced with difficulties in assuring due process for both children and parents. This section will address one short-term remedy aimed at a common sense and practical solution--the use of the interpreters/translators.

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It should be clearly understood that this is not an endorsement of the use of the interpreter and translator as the preferred method for assessment, but rather as a support method. Successful use of paraprofessionals as interpreters and/or translators depends in part on:

1. Careful selection.
2. Being provided with an adequate training program.
3. Monitoring their activities.
4. The educator's own personal commitment to enhance self-awareness of cultural and linguistic biases.

II. What components are necessary for the successful use of interpreters and translators?

MINIMUM TRAINING COMPONENTS

ENTRY LEVEL

1.0. General Knowledge

- 1.1. Basic concepts in interpretation and translation.
- 1.2. Professional ethical conduct.
- 1.3. Role and responsibilities.
- 1.4. Steps in the identification, assessment, and educational programming processes.
- 1.5. Specific terminology related to work assignment.
- 1.6. Paperwork related to work assignment.
- 1.7. Knowledge about the special education school population, (e.g., mental retardation, severe language disorders, learning disabilities, etc.).
- 1.8. Legal requirements and ramifications.
- 1.9. Other.

2.0 Cultural Knowledge: Specific to the school's community.

3.0 Specific Skills.

- 3.1. Style of translating or interpreting.

3.2. Other.

4.0 District Policy.

III. What cautions and limitations should educational staffs be aware of regarding the use of interpreters and translators?

Using interpreters and translators imposes several limitations. In assessment, particularly, we have to be extra careful in accounting for interpreter expertise, bias, possible error, etc. Documentation must be used by an interpreter or translator to "note to what degree the validity of the assessment may have been attenuated."

Some limitations include, but are not limited to:

1. Introducing bias of a third party.
2. Mistakes made in original language or in the interpretation are often charged to the pupil.
3. Formal scores, "To report or not to report, that is the question!" Information obtained through the interpreter is generally better suited for edumetric purposes than for pyschometric documentation.
4. Interpretations and translations - different versions may be obtained from different persons.
5. The process is time consuming - be wary of "Have you got a minute?"
6. The authority figure may often shift to the interpreter by virtue of language bonding. "So who's in charge?"
7. The neutrality issue may arise. "And in this corner..."
8. Transliteration errors.

IV. What are the types of errors made in assessment?

GENERAL DO'S AND DON'TS

Do's

1. Do know the person you will be working with--style, language usage, speed of speaking, etc.
2. Do prepare for each task.

3. Do maintain a relationship of mutual respect and concern.

4. Do ask questions when you do not understand a word, concept, or procedure.

5. Do keep a bilingual dictionary with you at all times and use it.

Don'ts

1. Don't expect to know everything all of the time.

2. Don't assume all tasks are equal.

3. Don't use professional, educational jargon.

4. Don't make clinical judgments.

5. Don't editorialize on what the speakers have said.

V. What are the basic concepts related to the process of interpretating and translating?

The main function of an interpreter and a translator is to make it possible for all participants to communicate with one another despite language and cultural differences. The interpreter and translator facilitate communication.

The aide working as interpreter in the school setting performs oral consecutive interpretations from and into the target language. Some of the more typical duties are the following:

1. Acts as interpreter for school personnel, including but not limited to the administrator, the psychologist, the teacher, the speech specialist, the nurse, the audiologist, the secretary, etc.

2. Interprets during school-parent conferences.

3. Interprets during parent interviews in the home setting (always accompanied by the school person in charge of the interview).

4. Interprets during testing sessions.

5. Administers tests to pupils (only those tests she/he is trained to administer).

6. Keeps records of time spent on assignments. (Optional)

The school translator makes prepared translations and some sight translations from and into the target language. Some of the more typical duties are the following:

1. Acts as translator for school personnel.

2. Makes written idiomatic and literal translations from and into the target language and certifies their accuracy.

3. Keeps and updates a list of terms and concepts that have been translated into the target language (highly desirable).

VI. What are the minimum qualifications for the paraprofessional to assume the tasks of interpreting and/or translating?

1. Maintain high oral fluency in both English and the target language (bilingual).

2. Have above average reading and writing ability in English. She/he should also have reading and writing ability close to or the equivalent to that of an educated native speaker (biliterate).

3. Experience in interpreting and/or translating for a recognized public or private agency is highly desirable.

4. Demonstrate flexibility. This means that the interpreter must be able to handle variations within languages, i.e., different ways of saying the same thing. The interpreter must be able to adjust to different levels of usage--colloquial, idiomatic, highly stylistic and literary. Last, the interpreter must be able to fit into different real-life situations.

VII. What should be the ethics and standards of a paraprofessional interpreter/translator (I/T)?

An aide, like any professional I/T, should have a highly developed sense of intellectual integrity, responsibility and ethical conduct which, in practical terms, means that the I/T:

1. Does not accept assignments/tasks beyond his/her language and/or subject-matter competence. An unskilled or unprepared interpreter or translator may produce wrong or misleading information (e.g., testing a child without being trained to administer that test).

2. Continues the process of self-education and improvement.

3. Brings unsolved problems to the attention of the person she/he is working within the school setting.

4. Respects appointment times and deadlines.

5. Refrains from unseemly or exaggerated claims (e.g., "I test special education pupils.")

6. Abstains from unsolicited criticism of the translation of others.

7. Shares knowledge with other I/T's to help upgrade the performance of all aides doing the same job.

8. Upholds CONFIDENTIALITY regarding pupil records and all information about a pupil and his/her family.

9. Maintains neutrality. Interpreters and translators transmit information from school personnel to parents and/or pupils and vice versa. All that is said or written by either party must be transmitted entirely. The I/T should not change, leave out, or add information. The I/T should not "editorialize" (e.g., give an opinion, evaluation, or judgment). The I/T should always ask herself or himself, "Am I conveying my personal feelings?" "How will I deal with issues that are emotional or sensitive or contrary to what I believe?" Set the right tone and structure by making clear to the parent that the I/T is acting on behalf of the school and will ensure that that all information given by the parent(s) will be shared with the school. This gives the parent the right to avoid saying something to the I/T that the parent would not normally want the school to know.

10. Demonstrates impartiality. The I/T treats all persons in the same way.

11. Interprets and/or translates faithfully the thought, intent, and spirit of the speakers.

12. Exercises self-discipline. Interpreters and translators often work alone or with little or no supervision, but they are often the key to a successful meeting. Interpreting is not easy to monitor, nor are translations easy to certify. Therefore, the effectiveness of an interpreter or translator and adherence to ethics and standards often depend on the integrity, honesty, and self-discipline of the person(s) charged with these heavy responsibilities.

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SECOND LANGUAGE ACQUISITION: IMPLICATIONS FOR ASSESSMENT AND PLACEMENT

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Children who are not native speakers of English, and who may be totally dominant in another language or very limited in English, present an extraordinary challenge in the area of special education. Since the ability to receive and produce language is one of the primary requisites for success in any educational setting, the question of second language acquisition for such children is certainly one of the first priorities for consideration. In order to adequately address this concern, we must consider several major areas:

1. The development of a definition of the kind of language proficiency which is necessary for functioning successfully within the majority language population.

2. The kinds of assessment instruments and/or techniques and strategies which can help to determine whether the child is merely experiencing the expected kinds of difficulties in adapting to a new language and culture, or whether the child has a language disorder per se.

3. The kinds of instructional placement that would most adequately meet the individual child's needs.

This paper attempts to address these issues by outlining answers to certain specific, related questions.

Any careful discussion of the above considerations must remember that within the population of students from diverse language backgrounds who are limited in English proficiency, one encounters the same kinds of

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individual differences as are found among English speaking students. Children can range from those with an extreme academic orientation to those who are not functioning within the "normal" range because they have learning disabilities due to physical, psychological, or other factors. Each child, therefore, must be instructed in relationship to individual needs. A conglomerate lumping of non-English speaking children into one large category does not serve the needs of any of the children, because the limits of disability vary widely in individual cases.

As a result, the needs for special education for diverse language students are roughly equivalent to those for English speaking students, with the one seemingly insurmountable difference being that effectively reaching these students means we must find a way to communicate with them. Optimum learning for such students ideally would take place in an environment which provided bilingual instructors and a curriculum adapted to the individual linguistic needs of the students. Although some districts are beginning to recruit Spanish-English bilingual instructors to work in special education, the needs of students from other language backgrounds are not being met. Indeed, the vast majority of Spanish speaking children are not being served by existing programs. Among the notable efforts being made to bridge this gap are the PEOPLE (Pruebas de Expresión Oral y Percepción de la Lengua Española) test developed by the Office of the Los Angeles County Superintendent of Schools under the direction of Sharon Mares, Program Manager, and the handbook, Instructional Modules, Bilingual-Bicultural Assistance to Special Education, developed by the San Diego County Department of Education under the direction of Katie Kane.

This author strongly advocates the position that the most effective mode of instruction for a child, who requires special education and who is clearly

dominant in a language other than English, should be within the framework of the child's own language and culture. Studies by Cummins (1980, 1981), Burt and Dulay (1972, 1973, 1974), Langdon (1977), Legarreta (1979), Krashen (1979) and numerous others, strongly support this stance in regard to the average child in an academic setting. Although there is to date insufficient literature in the field of special education about limited English proficient children, it can be posited that concept development will automatically be more successful in the only language the child understands and speaks. In addition, one cannot ignore the affective domain and its relationship to the special education child's enormous need for success--a need which can best be met in the child's own language.

Once it has been determined that the child is truly a candidate for special education, it is rather utopian to hope that the delivery of intensive English instruction will prepare the child with enough fluency so that English can be used as the medium for coping with any special needs. A child who is already experiencing tremendous difficulties within the academic framework is hardly one who will immediately learn English. Bull (1965) stated that to the extent that a child is capable of functioning in the child's own language, to that same extent will the child be capable of functioning in a second language, given appropriate motivation and instruction. In other words, a child whose own language functioning is limited, for whatever reason, will not function easily in English either. This view can be supported by Cummins' theory (1981) which states that the common underlying shared proficiencies in language build upon one another rather than being contained in separate storage units. It stands to reason, therefore, that the most effective means of meeting the special education and linguistic needs of the diverse language population is by providing bilingual strands within the special education program.

In order to develop that point of view, it is important to review some pertinent questions which relate to the basic concerns expressed above.

I. What are the similarities and differences in the development of L1 and L2?

There is a growing body of research on bilingual language acquisition. Most current reputable studies (e.g., Burt and Dulay, 1974; Krashen, 1979; Padilla and Lindholm, 1978) have established that the acquisition of elements in the second language closely parallels the order of acquisition for children who are developing that language as their first language. Multiple studies have documented that process for English (Bellugi and Brown, 1964; Bloom, 1970; Brown, 1973; Clark and Clark, 1979; McNeill, 1970).

That there are differences based on age, prior linguistic development, and prior development of literacy skills in terms of second language acquisition, is incontrovertible; nevertheless, the basic process rather closely parallels that of the young child. One frequently finds, therefore, that structures which are late in acquisition for native speakers of English also come later for the child acquiring English as a second language. An extremely simplified overview of first language acquisition would follow a sequence approximating the following:

1. Reception of the sounds of the language
2. Production of sounds of comfort and discomfort
3. Babbling and cooing stages
4. Listening discrimination and listening comprehension
5. Imitative stages, including intonation, pitch, rhythm
6. Analogic stages, including development of structures
7. One word, two word, and three word utterances
8. Kinesthetic language

9. Control of structural basics at approximately 5-6 years of age

10. Basic linguistic competence by the onset of puberty

The very important relationship between language and society plays a decisive role in the acquisition of L1. The child does not acquire language within a vacuum, but rather within the context of a family relationship, existing within a larger society, and demonstrating cultural patterning. Anthropologists and linguists have long been aware of the fact that it is impossible to separate language and culture, and that a child acquires not only the surface features of language, but also an underlying view of reality that corresponds to a cultural organizaton of the world. Included in that world are the language used at home; the availability and type of reading materials at home; the exposure to television, radio and other entertainment; stories, rhymes, riddles, and myths; and the dialect(s) and level(s) of speech used in the home. For the child acquiring native language, therefore, the cultural and societal features are, in essence, built-in as the child acquires communicative competence and language reflecting the logic of the culture.

Second language acquisition displays close parallels to the basic processes of first language acquisition. There are certain important differences, however, which cannot be ignored. While L1 is acquired, L2 may either be acquired or learned, depending upon the circumstances. This is because the acquisition of L1 normally takes place within the context of the home and societal environment while the child is going through the normal developmental procedures. In contrast, L2 is most frequently developed upon exposure to the school environment and is learned/ acquired after the first language is established and after the normal early childhood development has taken place. There are exceptions to the last statement relative to children who live in

bilingual homes, or in terms of older learners who are exposed to new societies and who use their previously established linguistic abilities to develop a second language.

Other important differences include the following:

1. One does not repeat the stages of comfort and discomfort sounds, nor the stages of babbling and cooing.

2. Acquisition of L2 is built upon pre-existing linguistic and cognitive abilities.

3. Students acquiring a second language often display the ability to absorb and produce "global" patterns without understanding the structural basis of the individual words that form the utterance.

4. There is typically a large degree of interference on the phonetic level, although interference on grammatical levels is questioned by many linguists and language specialists.

5. Students frequently develop an "interlanguage" which is based on analogies either within L1 or L2, and which, in effect, is a developmental stage in the acquisition of L2.

6. The factors of age, maturity, and prior literacy skills contribute to different rates of acquisition of L2.

7. Intonation patterns and kinesthetic language may be so different in L1 and L2 that the student may need specific guidance in developing these elements of communication.

In view of the above, it becomes essential to determine whether a student who is experiencing difficulties in acquiring L2 truly needs a program of special education, or whether the child is in the developmental stages of acquiring a new language and culture. Tests such as the Language Acquisition Scales and the Bilingual Syntax Measure, provide helpful information about language dominance and proficiency; they do not assess whether or not the child has a learning disability or abnormal language development. This is problematic in view of the fact that the child may be experiencing difficulties because of a real learning handicap. A child's native language may not have

developed appropriately for age and school level because of various factors such as a noncommunicative home environment, inarticulate family members, or no prior educational experiences. The development of instruments such as PEOPLE, therefore, is highly desirable in order to appropriately determine the individual child's needs.

II. How does concept development in the first language transfer to the second language?

Practitioners in the educational field have long suspected that children with highly developed linguistic and academic skills (including competence and performance) in their own language make a relatively easy transition to English. Those who either have little linguistic proficiency or little academic preparation in L1 experience difficulties in L2 acquistion as well as in subject content areas at school. Current researchers have been validating and expanding this opinion.

James Cummins* is probably the individual who has most definitively analyzed the transfer of concept development from L1 to L2. His theories, in essence, hold that there is a "common underlying proficiency" as opposed to a "separate underlying proficiency," so that a bilingual's proficiency in L1 and L2 are seen as common and interdependent across languages (1981, pp. 23-25). In his research, Cummins has also specified that it takes a non-English speaker approximately two years to reach age-appropriate levels for context-embedded language and five to seven years to reach age-appropriate levels for context-reduced language. He describes context-embedded language as that language which is acquired with cues of some sort, such as situational language, visuals, pantomiming, basic conversational skills that develop naturally in the

*(Cummins' very important contributions to bilingual education in general cannot be readily reduced to a few paragraphs. It is recommended, therefore, that the interested reader go directly to the source.)

interplay of human activities, and so on. In contrast, context-reduced language is that kind of language which depends entirely upon knowledge of the language itself, in oral and/or written form, in order for comprehension to take place.

In light of Cummins' research, it appears imperative that children with special education needs be given the opportunity to develop, to the extent that they are capable, in the language that is most meaningful to them. Educators should have no fear that development of the native language will impede development of English. On the contrary, if one accepts the theory of the "common underlying proficiency," whatever is developed in L1 will become part of L2.

Linguists are also of the opinion that there are certain universals of language which are common to all languages. These universals include such categories as time, space, purpose, and location, which are expressed in every language, although each language expresses such concepts within the constraints of its own phonological and structural possibilities. Capitalizing on the theory of universals definitely strengthens the idea that a "common underlying proficiency" exists and works positively for a student acquiring L2.

Finally, we might examine the theory of competence-performance which has pervaded linguistic research. Competence refers to the underlying proficiency which exists, while performance relates to what is actually produced by the speaker. We are well aware that comprehension normally precedes production of language, and it is through comprehension that we develop the competence which will allow us to perform. Tyler (1978) has stated that since competence largely precedes performance and makes it possible, our learning to speak a language is simply the unfolding of a talent we already possess. He goes on to say:

> Because competence makes performance possible, we must have it--or at least its rudiments--before we have performance, and because competence makes performance understandable, we must have it before we can understand the performance of others. Therefore, a child who has access only to the performance of others, cannot learn language entirely from them. Without competence, this performance is simply mysterious to him and must ever remain so (1978, p. 36).

This would seem to strongly reinforce the concept that a child in a special education program who does not have competence in English can hardly be expected to have performance. Any attempts at remediation will only be the "performance of others"--unrelated to the child's world.

III. What are some differences in problems of second language acquisition vs. learning disorders?

For the classroom teacher or the special education practitioner, it is essential to be able to distinguish between the developmental stages of second language acquisition and the characteristics of language disorders. At first glance, there seem to be some gray areas which fit into both categories, such as unintelligible communication, discomfort on the part of the speaker, or conspicuous difficulties with phonology and/or sentence formation. A closer look, however, reveals distinct differences. For example, in both cases a student may display difficulty in hearing minimal differences in sound (i.e., sheep vs. ship). The L2 student, however, eventually will be able to identify pictures which represent the problem sounds, even though production of the appropriate phonemes may be delayed. In contrast, the child with a language disorder based on hearing loss, cerebral palsy, or even on low intelligence, may never hear the difference in those same sounds.

For purposes of brevity, the following list shows the characteristics of second language acquisition in contrast with those of language disorders.

Second Language Acquisition

1. The student must discriminate new sounds, know sounds in different combinations, and discriminate minimal differences in sounds which mark differences in meaning.

2. The student must develop the ability to articulate unfamiliar sounds or groups of sounds and to produce them in meaningful words, phrases, and sentences.

3. The student must learn new labels for familiar objects and realities as well as labels for realities or concepts which are not expressed in the native language.

4. The student must adapt to sentence structures which are different from those of the native language.

5. The student begins to make analogies based on both L1 and new information about L2.

6. The existence of underlying linguistic competencies facilitates transference from L1 to L2.

7. A form of "interlanguage" develops, in which errors may be seen as a stage of development in L2 analogous to early childhood language development of L1.

8. Intonation patterns and kinesthetic language may be vastly different in L2 and will require considerable practice in naturalistic language acquisition situations.

9. Difficulties are predictable in the area of linguistic organization of cultural reality due to differences between L1 and L2.

The following list contains some elements which are similar to those problems listed for second language acquisition. It will be seen, however, that language disorders present far more complexity because they stem from a variety of sources. In addition, individuals differ in degrees of dysfunction so that given individuals may have proportionately many or few problems. The child displaying the difficulties listed below is definitely a candidate for a special education program.

Language Disorders

1. The child is unable to hear and discriminate sounds because of hearing loss, cerebral palsy, or other health-impairing conditions.

2. The child experiences difficulties in articulation, including omissions, additions, distortions, and substitutions. If articulatory difficulties are linked to hearing loss, the gap widens with age and the child produces rather peculiar vocal qualities.

3. The child may not have labels for common objects and may not have the underlying concepts because of low intelligence or impaired speech and hearing.

4. Speech may be unintelligible and disordered, or may be produced with obvious pain for the speaker.

5. The child may demonstrate immature behavior or low intelligence even in nonverbal tasks.

6. The child's memory may be poor or nonexistent for short-term memory, and may be exceedingly sporadic for long-term memory.

7. There is a demonstrated need for preseveration (constant repetition) in order for the child to grasp new words or concepts even momentarily.

8. The child may demonstrate difficulties in generalization and the ability to apply information to new situations.

9. Expressive language may be difficult, delayed, or immature and may include such factors as speech which is too slow or too fast; language which is inappropriate for the age of the child; vocal qualities which are inappropriate for the age of the child; vocal qualities which are innapropriately high or low, or loud or soft in relationship to the age and size of the child.

10. The child may stutter.

It is important to mention that certain organic dysfunctions are high on the list of those which contribute to language disorders. Chief among these is hearing loss which, although frequently occurring in individuals of normal intelligence, cause deficits in verbal language and speech skills, as well as difficulties in following directions, and which frequently causes a child to appear inattentive. Cerebral palsy also affects language production strongly,

in terms of difficulty with articulation, pitch, intensity, quality, rhythm, and fluency. A child with cerebral palsy may actually appear to be in pain when trying to produce speech. Depending upon other physiological factors, a cleft palate may or may not cause articulatory problems. Mental retardation is closely linked to language disorders. Children who are orthopedically handicapped or who suffer from other health impairing conditions do not necessarily experience language disorders, but they may also suffer from such problems if there are psychological affects linked to the physical problem.

Given the above lists of problem areas, it is essential to turn our attention to the most effective means of remediation for children who are experiencing language disorders.

IV. Why is special education more beneficial in L1?

Perhaps the first and most significant factor to be considered in the discussion of why special education is more beneficial in L1 is the affective domain and its interplay with the cognitive domain. It is generally recognized that special education children suffer from the stigma of feeling worthless, from peer disapproval, from parental pressures, and so on. When they feel inadequate and inferior, their cognitive abilities are lessened. The old adage which states that "success breeds success" is highly applicable in these cases. Because L1 is the language of the home and consequently the language of love and emotional content, it appears obvious that one can reach the child and potentially facilitate success more readily in the most familiar language, even though that language may be minimally developed. The most straight-forward question is: If one cannot communicate with the child, what can possibly be remediated? As Krashen succinctly states in Schooling and Language Minority Students: A Theoretical Framework (1981), the key to learning is the comprehensibility of the input, one cannot learn what one cannot understand.

Cummins declares:

> Instruction through L1 is regarded as much more than an interim carrier of subject matter content; rather it is the means through which the conceptual and communicative proficiency that underlies both L1 and English literacy is developed (1981, p. 41).

In any attempt to make input comprehensible to the learner, the specific objectives of such input must be known to the instructor/facilitator. Researchers and educators alike must know the parameters of language skills which are needed for both basic communication skills and cognitive academic language tasks. It is true that certain special education students may not reach an academic level of functioning; others may be helped toward that goal by careful development of native language skills.

Kiraithe (1978, 1980) made a comprehensive review of language testing instruments and basic texts for teaching language. From that review, the following list of essential language skills for success in school and in life was developed and simplified:

1. Control of phonology on receptive and productive levels.
2. Ability to recognize and produce statements, questions, exclamations, and commands.
3. Ability to recognize and produce concepts related to past, present, and future events.
4. Ability to recognize and produce singular and plural forms, according to the linguistic constraints of L1.
5. Reception and use of basic adverbial phrases.
6. Reception and use of basic adverbial forms.
7. Reception and use of true prepositions and prepositions that are used as particles with verbs to alter meanings.
8. Recognition and use of color words for activities of visual perception, labeling, sorting, and classifying.

9. Sequential counting as a transfer skill for sequencing in mathematics, sciences, social studies, and most importantly, reading.

10. Recognition and production of pronominal forms, including subject, object, and possessive pronouns.

Many of these essential skills are not present in the language of special education students. In order for such students to achieve even a modicum of success in the academic environment, whichever of these skills that may be lacking must be emphasized in the development of specific objectives for the individual student. Additionally, as far as the technology of special education is concerned, the same kinds of methods and strategies used to facilitate learning for the English speaking child are effective techniques for L1 remediation. Based on research cited throughout this paper, maximum results will be achieved if these skills are developed first in L1 and then become an integral part of the underlying competency for L2. Informal observation by Kiraithe in various schools districts throughout California strongly substantiates this view.

Conclusions

Further research is definitely needed in the area of bilingual special education to clarify such concerns in language acquisition as (1) the kinds of concept transfer and application which occur under specific conditions of dysfunction and disability, (2) the levels of language proficiency which can be developed in various types of special education students, (3) the determination of which students would most benefit from instruction in L1, and (4) the appropriateness of instruction in L1 and L2.

Other specific needs include (1) the development of appropriate language tests for diagnosis and assessment in diverse languages, (2) the training of linguistically appropriate educators to work with different language populations, (3) the development of bilingual individualized learning programs to

meet the language needs of special education students, and (4) the establishment of flexible groupings in regular classrooms as well as in special education programs to meet individual student needs.

In spite of the acknowledged deficits in research and appropriate assessment instruments and instructional materials for bilingual special education, there are reasons to be optimistic about the future. Research with average students is the basis of Cummins' common underlying proficiency model. Other evidence is accumulating to indicate that self-esteem grows as L1 proficiencies are developed and it continues to grow as L2 is acquired, thus meeting needs within the affective and the cognitive domains. We can, at this point, only hypothesize (albeit rather strongly!) that the bilingual mode is the most effective means of facilitating learning for special education students who clearly are extremely limited English speakers.

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DEVELOPING A BILINGUAL INDIVIDUAL EDUCATION PLAN FOR LANGUAGE MINORITY STUDENTS

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Introduction

The separate laws for special education and bilingual education students each specify that individualized plans for instruction must be developed. The concerns of both plans are to match the assessed needs of the student. The instructional plans are described for each kind of student separately and then a description is offered about what a combined plan must contain for the bilingual exceptional child.

I. What is the IEP in terms of when it is required and what it must contain?

Definition: An Individualized Educational Plan (IEP) must be written for any individual who has special education needs (SB 1870 Sect. 56001),

A. Identification and referral: "A student is referred for special educational instruction and services only after the resources of the regular program have been considered and, where appropriate, utilized" (Sect. 56303).

In the case of a LEP or NEP student, it is especially important to gather complete information from school records and parent interviews. The lack of progress in acquiring English may be attributed to a relatively short stay in the country or an irregular school attendance. Section 56026 specifies that

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"pupils whose educational needs are due primarily to unfamiliarity with the English language, temporary physical disabilities, social maladjustment or environmental, cultural or economic factors are not individuals with exceptional needs."

B. Development of the Assessment Plan: Once a student is referred, the school staff has 15 calendar days to develop an assessment plan. "The assessments to be completed must be described in a language easily understood by the general public." It must be provided in the primary language of the parent or other mode of communication used by the parent, unless to do so is clearly not feasible (Sect. 56321). The parent must be involved in the process and must give written consent prior to the initiation of testing. At the same time, that parent's rights and due process procedures are explained, a copy of the notice of their rights must be provided.

C. Assessment: The school staff has 50 calendar days to complete the assessments and develop the IEP from the date of the signed assessment plan. "The materials for assessment and placement of an individual shall be selected and administered so as not to be racially, culturally or sexually discriminatory. No single assessment instrument shall be the sole criterion for determining placement of a pupil" (Part of Sect. 56001).

D. Development and Implementation of the IEP: When the assessments are completed, a meeting is scheduled to discuss the results of the assessments and to write the IEP. The personnel involved (IEP team) should include but is not limited to (Sect. 56341):

1. An administrator, program specialist or other specialist who is knowledgeable of program options appropriate for the pupil.
2. The pupil's teacher, or if the pupil does not have a teacher, a regular classroom teacher referring the pupil, or a special education teacher qualified to teach a pupil of his or her age.

3. One or both of the pupil's parents, a representative selected by the parent, or both.

The team may also include the individual with exceptional needs, and other individuals at the discretion of the parent, district, special education services region, or county office.

E. Content of IEP: The IEP should include the following information (Sect. 56345):

1. Present levels of performance.
2. Annual goals, including short-term objectives.
3. Specific special education instruction and services.
4. The extent to which the pupil will participate in the regular program.
5. The projected date of initiation and duration of the program.
6. Criteria for evaluating progress on short-term objectives.

F. Support IEP Provisions: When appropriate, the IEP may include the following information:

1. For secondary grade level pupils: specially designed vocational education and career development.
2. Alternative means and modes to meet or exceed the proficiency standards for graduation.
3. For individuals whose primary language is other than English, linguistically appropriate goals, objectives, programs, and services.
4. Provision for transition into the regular program.
5. Extended school year services when needed.

G. IEP Due Process: The IEP should be reviewed at least on an annual basis. A complete assessment must be conducted every three years (Sect. 56380-56381). In addition, the following provisions should be made:

1. The parent has to be notified of every step in this process. He/she may withdraw the pupil from participation in the program upon written notification to an administrator (Sect. 56346).

2. The parent, as well as the public education agency, has the right to due process. The due process hearing procedures include a mediation conference, the right to examine the pupil's records, and the right to a fair and impartial administrative hearing at the state level. Specific procedures must be followed.

3. If an agreement is not reached in the mediation conference, a fair hearing may take place. The results of this fair hearing will be the final administrative determination that is binding on all parties (Sect. 56501 to 56505).

II. What is the ILP and what are the minimum content requirements?

An Individual Learning Plan (ILP) is required under AB 507 (1980) for all pupils enrolled in California schools (K-12, including special education students) who are identified as limited English proficient (LEP) and who are not participating in a full bilingual program as defined in AB 507 (options a, b, c, or d).

The development of an ILP begins with an initial identification assessment which includes a Home Language Survey and English language proficiency tests for understanding, speaking, reading, and writing. Students identified as LEP in this process must be diagnosed in their ability to understand, speak, read, and write in their primary language. A determination is made for each pupil as to which is the stronger of the two languages. The language in which the pupil is most proficient is designated as the language for "basic skills" instruction (language arts, including but not limited to reading, writing, and math).

The ILP must include activities for English-as-a-second language instruction, for basic skills/academic subjects delivered in the primary language and English as indicated by the diagnostic assessment, and for promoting a positive self-image and crosscultural understanding. Sufficient bilingual teachers and aides are also required to provide primary language instruction as appropriate.

The actual ILP format should include diagnostic and placement information, ESL and basic skills or subject areas to be addressed, objectives by language and subject area, how the language(s) will be used for instruction, staff and materials resources by language, schedule (frequency and duration) of services by language, and methods or techniques employed which are appropriate for non-native speakers of English.

Parents need not give their consent for their child to be placed on an ILP, but parents and pupils must be consulted in the development of the ILP. This consultation must be documented. Parents do have the option of withdrawing their child from an ILP. Such withdrawal must be done in writing. In case of withdrawal from the state-authorized ILP, federal authority requires districts to provide a comprehensible education to students which may still include ESL and instruction in the primary language to sustain academic achievement.

Pupils on an ILP must continue to receive primary language instruction to sustain normal academic achievement until they are reclassified as fluent English proficient (FEP). Minimum criteria, standards, and procedures, as prescribed in Education Code 52164.6 and in advisory communications from the Department of Education, must be met by an LEP pupil to be reclassified as FEP. Reclassification applies to mainstream as well as special education pupils, and to pupils enrolled in or withdrawn from full bilingual programs or ILP's.

III. How should districts merge the IEP and the ILP process/content for handicapped LEP pupils?

It appears that with little or no modification, the IEP for an LEP child, if properly developed, can serve as an ILP as well. For this to be possible, however, the IEP must include:

1. The identification assessment in English.

2. The diagnostic assessment in the primary language.

3. A designation of the pupil's strongest language for basic skills/ subject matter instruction.

4. English language development, content instruction in the primary language to sustain academic achievement, and activities to promote a positive self-image and crosscultural understanding.

5. Sufficient bilingual teachers and aides.

6. Parental option to withdraw the pupil upon written request.

7. Provision for reclassification to FEP status and English-only instruction, if and when it is appropriate.

All other ILP requirements appear to be clearly covered in the already comprehensive IEP process, content, and format.

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AN APPROACH FOR IDENTIFYING LANGUAGE MINORITY STUDENTS WITH EXCEPTIONAL NEEDS

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Introduction

The identification of a bilingual child who may need special services is a particularly difficult process. Learning a new language, while also learning how to act in school and how to take tests, can make many children appear exceptional. Separating the exceptional bilingual children from those who will develop normally, requires careful attention to the variety of factors described in this section. After referral, further steps are indicated that can assure accurate evaluation and placement.

I. How should LEP students with suspected disabilities be identified and referred for special education services?

There are basically four periods of time when a student might be referred for special education. Each of these periods are graduated in severity.

First, if the Home Language Survey indicates a language other than English and the Oral Proficiency Exam indicates no language proficiency in English or another language, then this child should be referred to the school site team. Lack of language acquisition in any language indicates a possible delayed language child, a disordered language processing child, or a nonverbal child.

Second, if the Oral Proficiency Exam indicates a student is LEP, then placement is made in the AB 507 program. Parallel assessment in English and the other language for reading, writing, comprehension, and speaking is

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administered. The examiner may notice difficulties which could be termed perceptual rather than academic. Perceptual difficulties occur most often in written assessment and frequently in reading. Perceptual disorders inhibit the child from receiving and expressing academic knowledge and the child will need special techniques, materials, and methods for instruction. This child should remain in the AB 507 program, while the bilingual teacher joins the school site team with all assessment and classroom information available to discuss referral for special education.

Third, the student may be FEP based on the Oral Proficiency Exam, but LEP based on parallel assessment in reading, writing, comprehension, and speaking. If difficulty does not seem to be due to lack of previous formal schooling or number of years in the country, such that inability to learn to read and write could be due to a previously undefined learning difficulty, then continue the child in an AB 507 program and refer to the school site team.

Finally, the LEP student in the AB 507 program may not be making satisfactory progress at the time of review. Consider whether ample time (based on the student's background) has been allowed for primary language proficiency and English acquisition. Any lack of progress academically may be an indicator of a previously undefined learning difficulty. Some considerations for making the decision about referring the student should be:

1. The number of years the student has been in this country,
2. The number of years the student has had formal schooling,
3. The student's language use in various settings,
4. The student's cultural or economical variances that may affect movement in the academic setting, and,
5. Any other family background information and comparisons that may be necessary.

If these factors are not potential causes, then the student should be

referred to the school site team for whatever reason. The teacher of the AB 507 program having the most experience with the student should meet with the team as an equal member. The school site team approach is an informal process because special education legislation emphasizes that all options of the regular program must be considered and used, where appropriate, before the student is formally referred for special education.

SCHOOL SITE TEAM REFERRAL

The referral to the school site team begins as an informal process. The team should always include the bilingual teacher of the child because, although the student has been assessed in English and the primary language through the use of several diagnostic tools, the teacher is able to collect work samples while the student is in the AB 507 program. All of these pieces of information are valuable data to the school site team and should be brought to the initial meeting. These data will allow the team to decide any further assessments or further modifications of the regular program to be made before a formal referral takes place. This process assures the least restrictive environment and assessment in that several of the assessments already completed do not need to be redone.

If all of the options of the regular program were considered and were appropriately utilized, and no progress has been made in terms of the student's ability to learn within the academic setting of the AB 507 program, then a formal referral for special education should be made. Once the formal referral has been started, the 50 day deadline is in existence that governs the student's movement through the process to a development of the IEP and, for the limited English proficient student, the ILP.

During the process of identifying the student for an AB 507 program, the bilingual specialist determines the language of instruction based on parallel

assessement of reading, writing, speaking, and comprehension abilities. The language of instruction is a key issue when developing an individualized educational program for the student. If the key language of instruction was the primary language, it is advised that the same language should be used to establish the linguistically appropriate goals and objectives in special education. The language of instruction does not necessarily need to be given by the special education teacher if other methods for delivering service can be maintained. These other methods could include continued involvement in the AB 507 program as a mainstreaming from the special education resource program. The language of instruction, in the primary language of the student, could be provided by the teacher of the bilingual program.

Another area for consideration essential to development of an IEP/ILP is the appropriate level of difficulty of the materials to be used. This level needs to be considered for both the academic difficulty and the language loading of any material to be presented.

Because the LEP student with exceptional needs is a unique individual, a more stringent consideration needs to be placed on the support system that would allow the student to easily move from the special education program into the bilingual and other regular programs. The support system needs to be addressed in the development of the IEP/ILP.

In education, we expect excellent programs. For the limited English proficient student with special learning needs, we must continue to expect excellent program offerings. Therefore, every attempt must be made to continue staff development for all individuals serving this particular population. The school district must make every effort to hire as many qualified individuals to teach in both the bilingual program and the special education program.

Monitoring the student's progress is essential because the goal of bilingual education is to enable the student to become proficient in English. The goal of special education is to equip the individual with skills for competing with nonhandicapped peers in any setting in society. Because the goals of these two programs are essentially the same, or at least compatible, the monitoring system built into the individualized educational program must ensure that these goals are being met.

II. How should the limited English proficient handicapped student be identified for bilingual education services?

Based on English proficiency and the primary language, if a student is being served in a special education program and also qualifies, for the bilingual program under the laws of AB 507, the student should be served as needed jointly by both programs.

III. How should the procedures for bilingual and special education be integrated to ensure that accurate identification and referral occurs?

This was described in question number one in terms of the logical sequence of events following a student's school entry until the determination is made for the AB 507 program, or for a special education program, and the possible joining of the two services. Further suggestions follow in the form of a flow chart. This chart shows the pragmatic aspects of meeting the compliance issues in both AB 507 and SB 1870. The chart can be used in a district or school site program for integrating the requirements and the spirit of these laws. Bilingual and special education specialists and programs must be open to each others' offerings and concerns regarding the limited English proficient special education students.

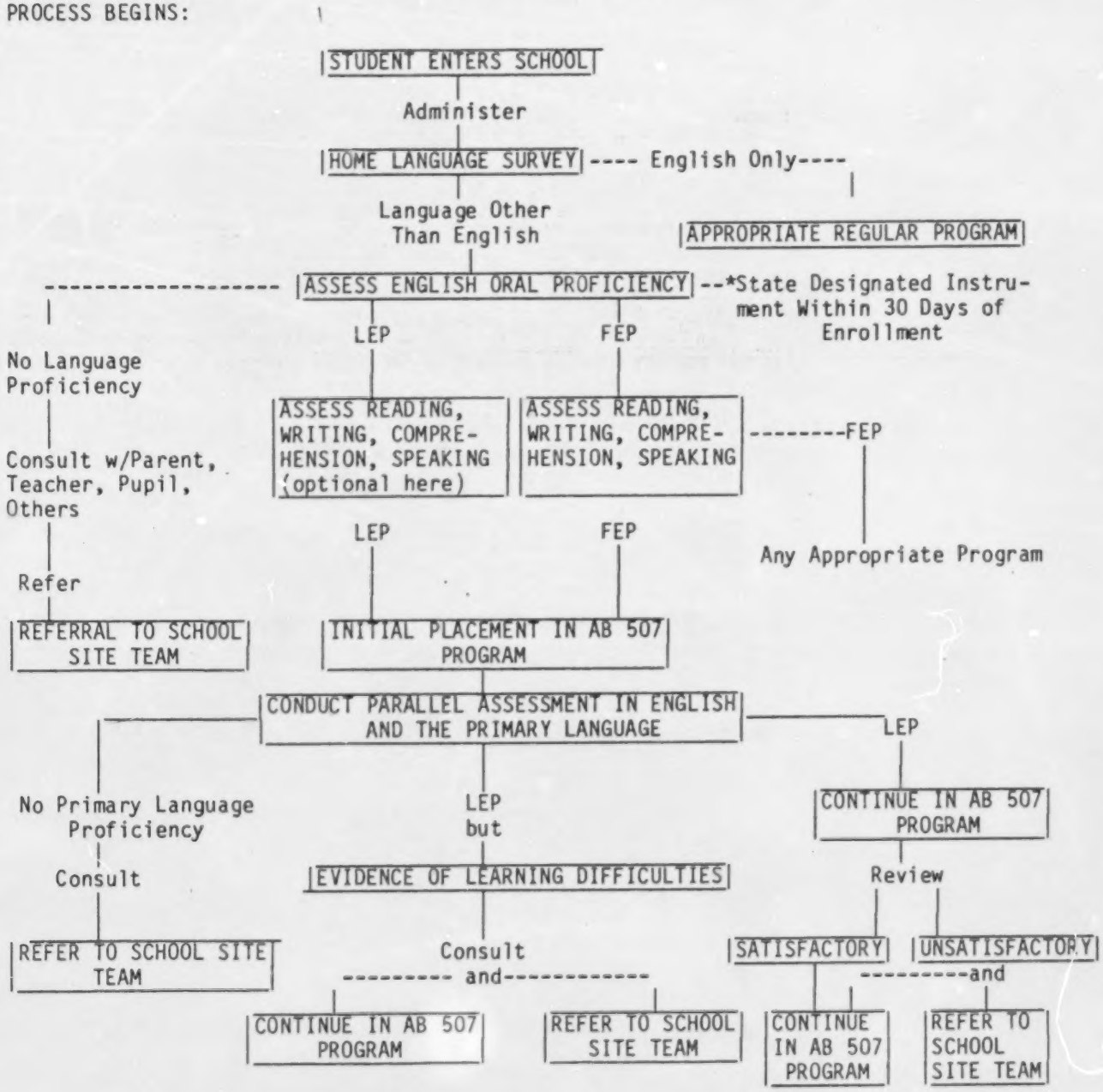
As California becomes more and more involved in the many language groups that are settling in the area, it is obvious that issues of limited English

proficiency will continue to be a concern. In the South San Diego County area especially, the majority student is the one who is limited English proficient and the minority student is the student with complete English proficiencies. Therefore, any programs serving the San Diego area must continuously include bilingual program experts when developing procedures and policies for all educational programs.

AN APPROACH FOR IDENTIFYING

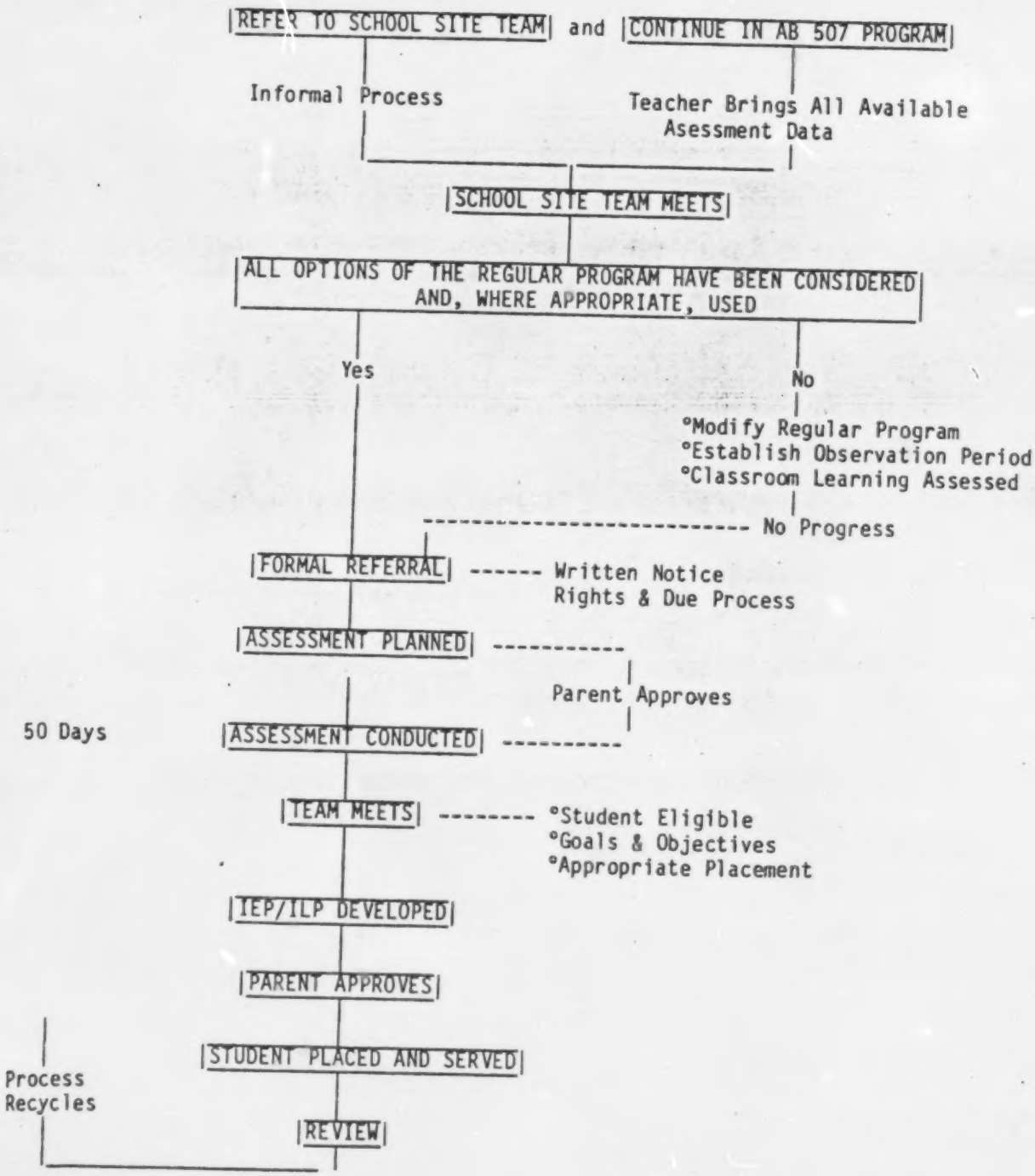
LANGUAGE MINORITY STUDENTS WITH EXCEPTIONAL NEEDS

The following is a flow chart identifying a process with contingency steps.



The student has not been referred to the school site team, and also remains in the AB 507 program.

PROCESS CONTINUES:



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TECHNICAL ASPECTS OF FORMAL AND INFORMAL ASSESSMENT OF LANGUAGE MINORITY STUDENTS: A PRACTICAL APPROACH

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Mr. Jim Morrison, Psychologist
ABC Unified School District

Introduction

Bilingual/bicultural children are very limited in their exposure to English and Anglo culture. Consequently, most of the available standard assessment instruments should not be used. Alternative procedures are described that expand the assessment areas and approaches to make them more relevant to the children's life experiences.

I. What areas of the child's development should be evaluated in a comprehensive assessment of the LEP student?

An overview of the Psychological Assessment component and the Language Assessment component as taught by Dr. Rosa Payan will be presented. The psychological nonbiased assessment of the bilingual child (with exceptional needs) directs attention to all aspects of the child (the whole child philosophy). Six major areas are examined, following the State of California recomendations suggested in 1979 after the moratorium on IQ test for mentally retarded children was imposed.

Cognitive Development:

1. Piagetian theory and philosophy was reviewed, drawing from many sources including Dr. Edward De Avila's research.
2. The theory was applied to developmental tasks and observations in a laboratory setting.

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3. All participants were given a materials list and an opportunity to familiarize themselves with the kit in order to develop one of their own.

Learning Proficiency or Rate of Learning Techniques were taught and practiced. (The Berkeley-Paired Association Test and the Raven's were used).

Social Adaptation. Information gathering skills were taught using check lists, questionnaires prepared in Spanish, and ready-made tests such as the ABIC Sompa-parent interview in Spanish, Vineland, etc.

Language Assessment. Stressing the importance of assessing all areas of language, and not just determining dominance, the following areas where taught:

1. Expression
2. Reception
3. Discrimination

Special Vocabulary and Glossaries of Terminology used in the school setting were taught:

1. Individual Educational Plans were developed in Spanish
2. Participants made home calls to Spanish-speaking homes
3. The appropriate use of translators was presented

The second language curriculum was especially designed to reinforce linguistic competencies necessary for interviewing and assessing Spanish-speaking students, and communicating the child's needs and accomplishments to monolingual Spanish parents.

Cultural Differences or considerations in the informal assessment were stressed. What both Dr. Payan and we tried to do was not just to teach participants how to administer tests in Spanish, but how to develop cultural sensitivity in test administration and interpretation. These included:

1. Cultural differences in value systems
2. Customs and manners
3. Differences in locus of motivation
4. Environmental variables

Participants worked with Spanish-speaking children (many of whom had special education needs) in a laboratory setting and administered tests in Spanish. Participants wrote both in-depth and informal assessments based on all aspects of the children they examined in the laboratory setting.

II. How should the continued assessment of LEP students with exceptional needs occur?

If the child qualifies for a special program, the Law 94-142 requires an annual review and a three year re-evaluation assessment. Mr. Morrison began his portion of the presentation by reiterating Carver's (1974) and Mercer's (1978) distinction between "psychometric" and "edumetric" assessment. He stated that "psychometric" assessment tools were generally norm referenced, used standard scores, and provided information for making placement decisions while planning educational programs. Mr. Morrison further stated that, to date, most of the emphasis on the assessment of language minority students has been in the "psychometric" area, focusing on appropriate diagnoses and placement.

Mr. Morrison believes that equal emphasis must now be given to "edumetric" assessment to provide the teacher/specialist with a relevant data base to write an appropriate IEP, and to remediate the child's academic difficulties. Accordingly, Mr. Morrison described a series of Spanish reading tests which are included in his book, The Assessment of Spanish Reading Problems (second experimental edition). These tests assess the areas of: visual memory, auditory analysis, sight vocabulary, word recognition, reading comprehension,

silent reading, dictation, and written language skills. Although Mr. Morrison is still in the process of field testing and revising these instruments, initial evaluations by bilingual teachers attending workshops within the ABC Unified School District and at Chapman College seem to indicate the data obtained from these assessment instruments provide useful information in developing classroom interventions for children with Spanish reading problems.

III. What formal and informal assessment tools are available for LEP students with exceptional needs?

Services and assessment for the bilingual exceptional child is a new thing for many of us in education. Many committees at the state and district level are being held to help us solve the problems we face in delivering services to the bilingual exceptional child.

To begin with, in many instances it takes the cooperation of two different programs: The Bilingual Education Program and The Special Education Program. We congratulate the sponsors of this conference for the excellent opportunity of bringing us together so as to inform ourselves. The following points should be noted as needing attention:

1. There is a lack of bilingual personnel or people with appropriate cultural/ethnic backgrounds to conduct the psychological and language diagnosis for bilingual exceptional (B/E) students.

2. There is a lack of appropriate evaluation instruments.

3. There is a lack of time and money available for training personnel to meet the needs of B/E students (second language acquisition; appropriate techniques, etc.)

4. When satisfactory assessment is done, many times there is a problem with program placement because of lack of bilingual personnel in the special education program to which the student is assigned (e.g., the resource specialist teacher or the educationally handicapped classroom).

In conclusion, we wish to allude to the research study conducted by Stephanie

Twomey for the State Department of Education (Special Education), in November 1980, in which several recommendations are made in regard to the assessment of the B/E students.

RECOMMENDATIONS FOR THE BILINGUAL EXCEPTIONAL (B/E) STUDENT

1. Prereferral screening needs to be developed.
2. Conduct careful language assessment by appropriate bilingual personnel.
3. Attempt placement in alternative programs (other than special education).
4. More recruitment of bilingual or ethnically appropriate personnel (psychologists, language diagnosticians).
5. Because of dissatisfaction with available instruments--multiple instruments should be used.
6. Psychologists should be the first targets for inservice in practical alternatives to IQ tests. They should also be given awareness training.
7. Administrators should be trained in linguistic and cultural awareness as well as knowing what constitutes an appropriate assessment for a B/E student.
8. The regular educational program should be strengthened to serve the B/E student (continuation of services--regular and special education.)

ALTERNATIVES IN ASSESSMENT PRACTICES

In the use of alternative assessment practices, first examine the student in his/her environment, instead of just in the testing situation. Include culture, language, family, school, social environment, adaptive behavior in the classroom, playground, home, and neighborhood.

Second, develop need alternatives to IQ testing, such as observing learning potential at the moment of assessment in a test-teach-retest approach. Observe learning rate and find the optimum performance level. An example of this would be the Learning Potential Assessment Device (LPAD) as suggested by Dr. Rueven Fuerstein.

Third, another alternative that is used in Area 6 (Los Angeles Unified School District) is Piagetian cognitive development tasks during which students are observed in problem solving situations. It tries to find the strengths and weaknesses in the student's cognitive development. Some of the stages are:

Sensory-motor	18 mos
Preconceptual operations	2-4 yrs.
Concrete operations	4-7 yrs.
Formal operations	7-11 yrs.

Another area in which we try to train our psychologists to be particularly careful, is in the area of language screening. The reason for this is that they can have consultant services from a bilingual psychologist or language specialist to assess the student's language in both English and Spanish if they need it. Expressive and receptive language assessment is one of the preliminary steps done in assessment. Because of the state of the art in the assessment of B/E students, and because of the dissatisfaction with available instruments appropriate to this population, we believe that we must concentrate on the development of the skills and attitudes of our psychologists. Finally, we must supply them with appropriate bilingual personnel to work with B/E students.

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HOW TO UTILIZE VARIOUS STATE AND FEDERAL AGENCY RESOURCES FOR LIMITED ENGLISH PROFICIENT PUPILS WITH EXCEPTIONAL NEEDS

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Educational resources are often difficult to find. Special funds for needy students, while advertised among certain groups, may not reach other groups who work with the same population. This often causes problems, including a lack of awareness of available resources, the eligibility for various programs, and available resources for parents.

Individuals with developmental disabilities are defined by law to include mental retardation, cerebral palsy, epilepsy, and autism. For eligibility, these conditions must be present prior to age eighteen and are expected to continue indefinitely. Many of the regional center clients are bilingual or limited English proficient. California currently services many Spanish speaking people with developmental disabilities.

There are twenty-one regional centers which provide assistance to developmentally disabled individuals. The regional centers provide a range of services including diagnosis, educational planning, vocational education, speech therapy, behavior modification, and coordination of resources with other agencies.

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Another important service which regional centers provide is parent education and advocacy. Family assistance in obtaining services, education on behavior intervention, and recreational planning are but a few available services.

The total needs of the developmentally disabled individual can and should be coordinated through regional centers. Public school personnel and other community agencies who work with these clients should contact regional center representatives for additional information.

Many questions have been raised regarding the use of state and federal bilingual funds for children who are limited English proficient and in need of special education assistance. State funds available for LEP students include Economic Impact Aid (EIA), State Compensatory Education, School Improvement Program (SIP), and staff development money. Guidelines which stipulate the use of these funds currently do not contain exclusionary provisions for dual-eligibility. This means that one student could qualify and generate fiscal resources from more than one program source. Federal guidelines also do not have exclusionary provisions for dual-eligibility, however, most federal money is set aside for specific target populations. Federal funded resources include ESEA Title VII, Chapter I - Migrant, and Title IV of the Civil Rights Act.

Meeting certain programmatic requirements is often a contingency placed upon school districts requesting state and federal financial assistance. Historically, the passage of legislation, acts, and regulations developed from the public's concern that many children come to school proficient in a language other than English, and these children often receive limited benefits from the offered English only curriculum. By and large, school districts who receive state and federal bilingual resources should strive to develop

the students' academic skills via the native language, while also developing the children's oral proficiency in English. In addition, the children's cultural heritage and psychosocial development, including self-concept, should be enhanced by the educational program.

California's state law further requires that the children's primary language be used as a medium of instruction in the basic skill areas, and for teaching English as a second language. The passage of a detailed state law for bilingual instruction (AB 507) marked the state's official recognition that language can be a barrier to equal access and educational opportunities for many children.

The use of state and federal resources for limited English proficient handicapped students is allowable according to state and federal guidelines. However, care must be exercised to ensure that funds designated as supplementary are to be used to supplement, and not supplant, the base program. For example, a complete program for an LEP speech disabled child might include district paid special education services and additional instructional materials supplied by state EIA or federal funds. In planning programs for multi-eligible students, determine first the primary project's responsibility, and then define how supplementary funds can be used to support the proposed basic educational plan.

Over the past few years, the Office of Special Education, State Department of Education, has initiated two major projects designed specifically to improve the services provided to limited English proficient students with exceptional needs. One project is designed for special education personnel in second language acquisition, and the second project provides training materials for educational personnel who work with LEP exceptional children.

Second Language Training Programs

The Office of Special Education recognizes the severe shortage of bilingual assessment personnel. Assessment staff are often untrained when it comes to assessing children suspected of having disabilities in their native language. In response to this need, the Office of Special Education has sponsored six-week summer institutes for training assessment personnel. Briefly, the goals of this program include:

1. To help the assessment personnel who have already developed some second language proficiency to further develop language skills (Cantonese or Spanish).

2. To provide an assessment practicum for the participants which includes instruction and experience in procedures relevant to the evaluation, diagnosis, and the educational planning for the LEP child.

3. To provide the participants with information about the cultural background and its importance in the assessment and planning process for LEP students.

Training sites have included residential and commuter programs within California, and a residential program in Mexico. Eligible participants are psychologists, speech and language specialists, resource specialists, and school nurses.

Staff Training Modules

These training materials were designed to provide information and experiences to personnel working with LEP/students with exceptional needs. The materials have been developed in one to four hour modules and can be used separately or in combinations for one or two day training sessions.

The content was selected and quality was monitored by an advisory committee, meeting periodically from April 1980 thru January 1981. The content has been divided into three major areas: Legislation in Special Education and Bilingual Education, Bilingualism and Biculturalism - Implications for

Special Education (including assessment), and Teaching Strategies.

The modules are intended for delivery to participants through the Special Education Resource Network (SERN) Training Units, and SERN staff teams with bilingual consultants to deliver the training to school site personnel. The trainers presenting these modules are usually specialists from the fields of bilingual education and special education. Staff presenters are trained and experienced to handle questions, and provide suggestions on the content reviewed.

The following is a summary of the modules available:

Module I: "Understanding Special Education and Bilingual Education Legislation, Services, and Programs: Establishing a Dialogue Between Bilingual and Special Educators"

Time: 3 - 3 1/2 hours

Audience: Special educators, bilingual educators.

Objectives: Participants will:

Understand the key points of special and bilingual education legislation, services, and programs.

Work together to promote a working relationship between bilingual and special educators to better serve the needs of the linguistically/culturally different individual who also has special learning needs.

The content of this module is presented in three segments. The first includes introduction, warm-up, and focusing activities. The group is then divided, and special educators receive content on bilingual education legislation and services. The groups are then brought back together for a "working together" activity and debriefing session.

Module II: "The Nature of Bilingualism and Biculturalism: Implications for Special Education"

Time: 3 - 3 1/2 hours

Audience: Special educators, bilingual educators, assessment personnel.

Objectives: Participants will understand:

Distinction between language disorder and language difference.
How to use guidelines to identify difference vs. disorder.
Guidelines in assessing and teaching culturally different students.

Module III: "Instructional Strategies: Teaching Methodology to Match Diagnosed Needs to the Desired Outcomes of the IEP"

Time: 2 - 2 1/2 hours

Audience: Special educators, bilingual educators, assessment personnel

Objectives: Participants will understand:

Universal processes in language acquisition and development.
Assessment of learning processes.
Learning strategies.

Persons interested in the training modules, please contact the Special Education Resource Network (SERN), California State Department of Education, 721 Capitol Mall, Sacramento, California 95814.

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ONE APPROACH IN TEACHING THE SPECIAL EDUCATION CHILD

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Data reported by the California State Board of Education (1979) suggests that Hispanic children continue to be over-represented in Educational Mentally Retarded (EMR) or Learning Disability (LD) classrooms. This suggests that there has been very little done by school districts to develop curricula for the handicapped bilingual children. In a recent research project (1982), a survey of 710 nationwide districts requesting information regarding bilingual curricula showed that 52 (7%) were in various stages of developing materials and 24 (3%) had the finished product. Upon further analysis of the 24 documents, most of these materials were supplemented to a mainstream language arts or reading continuum. This means that the special education teacher usually does not have relevant materials to use with the bilingual handicapped child in the primary language.

Most Hispanic children ultimately placed in EMR or learning disability classrooms have usually been in the school system four to five years. Low levels of academic performance are not clearly evident in the lower elementary grades, particularly if a child is non-English speaking at the kindergarten level.

It is usually in the time period between the fourth and sixth grades, that the child is performing significantly worse than his peers in the basic skills areas. It has also become a behavior problem when he/she is

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finally evaluated for possible placement in a special education class. By this time, the child has sufficient English language skills for the special education teacher to assume English only instructions. As a former bilingual special education teacher, I believe that this assumption is correct.

Let us examine an actual case of a mentally retarded, language confused, bilingual child who has gone through the type of experience previously discussed. A few years ago I taught Elizabeth as a fourth through sixth EMR elementary school teacher. Elizabeth was ten years old when she came to the EMR class and was reading at the 1.5 grade level. Her math skills were at the 2.1 grade level.

The following is the report submitted by the district psychologist upon the conclusion of a meeting with the Assistant Superintendent in charge of special programs, the school nurse, the principal, the recommending teacher, and the special education teacher. All unanimously favored placing the child in an EMR class.

Name: Elizabeth Grade: Fourth

Birth Date: 11-12-64 Age: 10 years Test Date: 11-05-74

Brief Summary and Recommendations

Elizabeth is a child of below average intelligence. WISC-R full, scale I.Q. is 71. She is experiencing difficulty in school achievement and social adjustment. The principal causative factors for this difficulty include: low academic potential and developmental lags in those areas required for reading, writing, and math; distractability, and very poor memory skills. Additional individual remediation will be needed in the areas of reading, writing, and math. Medical, hearing, vision, and neurological examinations are indicated. Individual assistance with the English language is indicated;

the ESL program would be helpful. Significant learning disabilities will require a specialized curriculum. EMR class placement is recommended for consideration. Elizabeth is a marginal candidate for special placement.

Statement of the Problem

Elizabeth was referred for a general assessment of mental abilities, overall developmental level, and social adjustment. She has experienced difficulty in all areas of academic achievement and social growth. She requires considerable attention, and is often disruptive in class.

Social, Economic and Cultural Background

Elizabeth lives with her mother and father. She has one brother who is six years old and three sisters who are 6 years, 1 year, and five months. Interpersonal relationships between Elizabeth and her family are described as close with the mother, but distant with the father. The mother and father are currently unemployed. The economic status of the family is described as poor. The family is presently being assisted by welfare. English and Spanish are spoken in the home.

As is evident, Elizabeth fits the classic pattern. She had been in the school district four years when she finally was evaluated and placed in a mentally retarded class. Her language was English and Spanish, and she was two to three years behind in math and reading. She had become disruptive before finally being referred.

Elizabeth is commuting between two cultures, and has parents who mix their languages. This does not allow her to develop each one separately. She has not developed sufficient vocabulary and consequent concepts in either language to make sense of the academic tasks required. This problem may be compounded by the possibility that the parents may be illiterate or uneducated as well. Because of the low socieconomic status indicated,

she has not had the necessary home experience to make sense of the curricular tasks.

A Problem Case

According to Cummins (1970) a child must reach a threshold of competence in the native language before any L2 can be mastered. He also alludes to several investigators drawing attention to the fact that some bilingual children who have been exposed to both languages in an unsystematic fashion prior to school, come to school with less than native like command of the vocabulary and syntactic structures of both L1 and L2 (Gonzalez, 1979, Kaminsky, 1976). Gonzalez (1979) suggests that under these conditions children may switch codes because they do not know the label for a particular concept in the language they are speaking, but have it readily available in the other language. Because the languages are not separated, each acts as a crutch for the other with the result that the children may fail to develop full proficiency in either language. Kaminsky (1976) has argued that these bilingual children may fail to develop fluent reading skills, since their knowledge of syntactic rules and vocabulary of each language may be insufficient to make accurate predictions regarding the information in the text.

The content and activities in the traditional curriculum of an elementary school does not provide materials for a child like Elizabeth. She could not identify with many of the experiences illustrated in her books, and could not find experiences in her background enabling her to generalize the tasks required. According to Bloom and Lahey (1978), if the language addressed to a child does not make sense relative to what the child knows, then it does not make any sense at all to the child. Such speech could not be a model for learning. The same thing might be said of the reading

continuum that Elizabeth had been studying for four years. Bloom and Lahey also say that language disorder refers to any disruption in the learning of a native language. The use of English in an unsystematic fashion in the home, and using content that made no sense relative to what she knew in the school system, could have caused the language disorder and disruption in the learning language.

Language involves interactions among content, form, and use. Normal language development according to Bloom and Lahey (1978) has been described as the successful interaction among the three. Content is the ideas expressed, semantics; form is the correct or incorrect arrangement of the words, syntax; and use is the functional expression of the ideas, pragmatics.

However, the different ways in which these components can interact with each other can result in disorders of form, content, or use. For example, disorder of form would mean that that children's ideas about the world and abilities to communicate these ideas are more intact than their knowledge of the linguistic system for representing and communicating these ideas. For example, when Elizabeth would go to Mexicali, Mexico (Baja California), to visit her grandparents, she would come back to school to relate detail and sequence of events that were quite sophisticated. The grandparents in Mexico could not speak English, so everything the child saw and did was in one language. However, Elizabeth knew more than she could relate because of her limited proficiency in each language.

In English, Elizabeth produced a disorder of use. According to Bloom and Lahey (1978), when children are learning the system to encode, ideas appears to be less of a problem than using the system for communication. During her four years in the public school, Elizabeth committed to memory many of the forms and content in English, but she would not use them consistently or

correctly. For example, names of cities, states, and countries were used interchangeably, the concept of direction was confused; sometimes north became south, east or west; measurements of distance such as feet, inches, or miles were used in description with no consistency or correctness (a room in her description could become four miles by five miles in length and width).

It became evident that Elizabeth needed to be given the opportunity to separate her language more systematically. The school system had immersed her in English from her first day in kindergarten. However, the majority of her experiences, concepts, and vocabulary were in Spanish. The results was that she had become English dominant, but with language disorders. She mixed the languages for certain uses, mostly for describing activities that related to the home and community. A conference with the parents revealed that they, indeed, did mix the languages. Their language at home was syntactically and semantically in Spanish, with a significant borrowing of the English lexicon.

Because the only pure language experiences the child had were in Mexico, it was decided to develop her Spanish systematically, using the language experience approach. Stories about her grandmother's house were developed for her to read. These included topics of Mexicali, the town she lived in, her games, friends, and dreams. During the morning hours, we would work only in Spanish and in the afternoon only in English. The classroom was entirely Mexican American, so all of the children had similar problems. This language experience approach also made it easier to structure the content and language medium of instruction. The effects of Spanish development on Elizabeth's English were quite exciting. She began to ask about capitalization, periods, paragraphs, etc., things she was never interested in before. Her descriptions became more precise and detailed toward the end of the year. Following is a

modified report of the psychological evaluation on Elizabeth by the same psychologist after six months of developing her communication and academic skills in her native language.

Name: Elizabeth Grade: 4 EMR

Birth Date: 11-11-63 Test Date: 5-22-75

Statement of Problem

Elizabeth was referred for reassessment of mental abilities, developmental level, and personal adjustment. She was last tested 11-05-74. The special class teacher felt significant growth has occurred since her last placement, and she may now qualify for regular class placement. Her Social growth has been outstanding.

BRIEF SUMMARY AND RECOMMENDATIONS

Elizabeth is a child of average intelligence. WISC-R full scale IQ is 80. The auditory attention span is moderately depressed, and auditory stimuli must be presented in short sequences. Individual remediation continues to be needed in the areas of reading, writing, and math. Reading instruction should be set at the 3.4 grade level, and should employ appropriate age interest materials. Math instruction should be set at the 3.4 grade level, and should emphasize the development of basic skills. Individual assistance with English is indicated. A therapeutic supportive approach continues to be needed. She shows significant improvement in previous learning deficiencies. Educationally Handicapped class placement may be a viable option at this time. Very careful monitoring of performance will be important.

EDUCATIONAL HISTORY

Elizabeth is currently assigned to the EMR program. Academic achievement has been outstanding in this program. School attendance has been good. The current overall school adjustment is considered to be above average.

TEST RESULTS:

Tests previously administered include: WISC, Bender-Testalt, Goodenough D.A.P. These tests were administered on the following date: 11-05-74. Significant observation included I.Q. 71.

The question of whether Elizabeth would function at an EMR range, if she was exposed to only one language both in and out of school, is meaningless. The facts are that she does function at a low academic level, and there are two languages in her life, which left her developmentally delayed and confused. The third fact is that there are many Elizabeths in our school districts who are functionally retarded with respect to their school performance. Elizabeth was not the only child in that class who showed significant growth in English after having formally developed competencies (reading) in her first language. An instructional approach depending solely on the experiences of the child, and in the language which has formed the base of their mental manipulations, would only seem to make sense.

By definition, Elizabeth does not belong in a bilingual classroom. She was at that time English dominant, however, far from being English proficient. Her first and primary language experience was in Spanish, and it was worthwhile to go back and tap this wealth of knowledge. Having to deal with two languages disrupted the normal development of the language, which had the consequence of developmental delay, confusion and anger, as shown by her disruptive behavior. Disentangling the occurence and use of the two languages, led to significant improvement in Elizabeth's academic performance and social behavior.

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[Perspectives on Special Education Services

for

LEP Students]

EC161198

Developing a Plan for Coordinating Bilingual and Special Education Services--San Jose Unified School District Plan. Appendix B.
Ms. Olivia Martinez

ABC Unified School District's Approach for Services in Bilingual Special Education. Appendix C.
Ms. Lilia Stapleton
In Collaboration with
Ms. Maria Valentina Vargas
Ms. Kathy Netter
Ms. Linda Hernandez

Parallel of State Requirements on Bilingual and Special Education. Appendix D.
Compiled by:
Ms. Maria Vasquez

APPENDIX B

DEVELOPING A PLAN FOR COORDINATING BILINGUAL AND SPECIAL EDUCATION SERVICES -- SAN JOSE UNIFIED SCHOOL DISTRICT PLAN

Ms. Olivia Martinez, Administrator
Division of Instruction
San Jose Unified School District

I. What steps need to occur once the LEP student has been properly identified and diagnosed for special education?

Basically, an appropriate placement needs to be made, and therein lies the greatest problem for school districts. Because most schools do not have well defined and delineated special education bilingual/ESL programs, it is difficult to arrange an appropriate setting.

The first thing that must occur is dialogue and communication between the Department of Bilingual Education, ESL, and Special Education. Consensus must occur on the following items:

1. Agreement that there is a need to develop specialized programs.
2. A commitment to work cooperatively to identify, design, and implement programs.
3. A mutual commitment of resources to ensure that special education, and bilingual/ESL programs are provided to LEP students.

II. How are services delivered with a staff who does not speak the child's language?

Closely related to the response to the first question is a need to undertake a complete and comprehensive needs assessment of the district resources. This includes surveying all the teaching staff, teaching assistant staff, administrators, and suport staff as to what kinds of language abilities and capabilities they have. Once this is identified, the resources available in the district are known. In those schools where there are no individuals who have the

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necessary language skills to meet the student's needs, they, of course, must work on an intensive English language development effort. This should be in conjunction with the ESL, and bilingual education personnel, who can be a tremendous resource in providing staff training and development in this area.

Assignment of aides who speak the child's language in the appropriate classroom is an additional possibility. The hand-out that follows explains carefully the various ways that the San Jose Unified School District is attempting to respond to this need.

III. How can districts utilize existing resources for educating the limited English proficient handicapped student?

The San Jose Unified School District responded by coordinating A-127 funds, special education funds, and bilingual education funds to mutually pay existing personnel, or bring in new personnel, specifically to work with LEP handicapped students. This kind of coordination is essential as each one of the respective federal and state guidelines mention the need to serve limited English proficient students, and it is an entirely appropriate expenditure. In many cases, staff development funds can be combined for instructional aides. Aides can be hired that have the necessary language skills, special education skills, as well as community skills, and various other abilities.

Approaches that are currently being pilot tested in the San Jose Unified School District to address the needs of LEP students are presented in the following pages. The first two pages present a form that is used to identify existing bilingual special education services and personnel, and the last two pages, describe ways of using personnel to provide services to LEP exceptional students.

SAN JOSE UNIFIED SCHOOL DISTRICT
School Resources Form

SCHOOL: _____

We need to know what resources you have for providing services to your LEP Special Education Students. Please indicate them below.

1. Number of identified LEP Students:

		Number of Underachieving LEP Students who may be Possible Referrals to Special Education:
Resource Specialist Program (RSP)	_____	_____
Special Day Class (SDC)		
Learning Handicap (LH)	_____	_____
Communicatively Handicap (CH)	_____	_____
Severely Handicapped (SH)	_____	_____

II. Bilingual Resources in the Special Education Program:

				Bilingual	
RSP Teacher					
SDC Teacher	LH_____	CH_____	SH_____	Yes	No
	LH_____	CH_____	SH_____	Yes	No
	LH_____	CH_____	SH_____	Yes	No
Aides RSP____	LH_____	CH_____	SH_____	Yes	No
RSP____	LH_____	CH_____	SH_____	Yes	No
RSP____	LH_____	CH_____	SH_____	Yes	No

III. Circle Bilingual Resources available at your school:

Bilingual Resource Teacher	Reading Lab
ESL Resource Teacher	Math Lab
Bilingual Aides	Cross-age Tutors
ESL Aides	Peer Tutors
	Parent Volunteers

IV. Additional services available in your school:

_____

_____

V. Comments: _____

_____

VI. School Plan to provide Special Education Services to LEP Students:

_____

WHO: _____

_____

WHAT: _____

_____

WHERE: _____

_____

WHEN: _____

_____

Date when services will begin: _____

SCHOOL TEAM:

_____
Principal

_____
Bilingual Teacher

_____
Psychologist

_____
Program Specialist

_____
Resource Specialist

_____
Spec. Day Class Teacher

SAN JOSE UNIFIED SCHOOL DISTRICT
Bilingual Special Education Services

FALL 1981

First, in the development of a bilingual special education program and/or services to students, is the establishment of a team at the school level that should include: a bilingual teacher, an English as a second language teacher, a resource specialist, a speech therapist, a special education aide, a bilingual aide, and a parent or a representative.

Second, identify programs that maximize staff, namely:

1. Exchange bilingual aide and special education aide up to two hours daily to meet language needs.

2. Resource specialist program/bilingual/English as a second language team consult and share areas of expertise.

3. Resource specialist goes into regular class to work with a bilingual special education student and nonspecial education student in a group, i.e., to model behavior.

4. Alternative classes at the elementary level that are multi-graded.

5. Group LEP special education students during 1 or 2 periods in resource specialist program. Bring in bilingual resources during that time.

6. Assign a bilingual aide to the resource specialist program if both teacher and aide are English speaking only.

Third, organize a one-day institute for all district staff on English as a Second Language and the Bilingual Special Education Child that will describe:

1. Summary of findings at California Association for Bilingual Education and Council for Exceptional Children conferences.

2. Program options available in San Jose Unified School District.

3. Criteria for program options.

4. Resource availability.

5. Program emphasis.

6. Staff development plans with the consortium and consolidated application program.

Finally, determine possible criteria for program options that considers:

1. Relative language proficiency in both languages.
2. Previous year achievement record.
3. Parent preference.
4. Student preference.
5. School of residence and transportation needs.
6. Judgment of bilingual and special education teacher.
7. Individualized education program (IEP) requirements.

SUGGESTED MODELS FOR SPECIAL DAY CLASS (SDC) WITH A MONOLINGUAL ENGLISH-SPEAKING TEACHER

1. Include bilingual resource teacher in the IEP meetings, etc.
2. Special education teacher refer to bilingual resource teacher for small group instruction.
3. Mainstream the special education LEP student into a bilingual classroom.
4. Cross-age tutoring with bilingual student and special education student.
5. Utilize bilingual parents as tutors/aides.
6. Utilize migrant education bilingual personnel.

ADDITIONAL POSSIBILITIES

1. Consider: Special education teacher and bilingual classroom teacher exchange roles for part of the day, once or three times weekly.
2. Explore: Special education students and bilingual students exchange room and teacher for part of the day.
3. Consider: Special education aide and bilingual aide to exchange roles for part of the day or two to three times weekly.
4. Transfer: LEP students to a special education teacher with bilingual skills.
5. Explore: The transfer of existing bilingual instructional aide personnel to special education classrooms.

APPENDIX C

ABC UNIFIED SCHOOL DISTRICT'S APPROACH FOR SERVICES IN BILINGUAL SPECIAL EDUCATION

Ms. Lilia Stapleton, Administrator
Special Programs and Services
ABC Unified School District
Cerritos, California

In Collaboration with
Ms. Maria Valentina Vargas
Ms. Kathy Netter
Ms. Linda Hernandez

For the last three years, ABC Unified has been very fortunate to have three bilingual psychologists readily available to provide bilingual assessment. Their valid assessment of limited English proficient (LEP) students has established the need for bilingual special education services. Recommendations based on bilingual assessment strengthened lines of communication between special education and bilingual education staffs.

The need also prompted us to find creative ways to fill the void of bilingual special education teachers. One of the ways this has been successfully accomplished was by submitting a Title VII ESEA proposal to train experienced bilingual credentialed teachers to become special education teachers. Fortunately, this project was funded for three years. Presently, the district is entering into the final year of the project. Thus far, the project has trained and placed four bilingual resource specialists.

Further commitment of the district's efforts to meet the needs of LEP students has been demonstrated through its rigorous recruitment efforts to hire bilingual special education teachers. The district, in addition to having employed three bilingual psychologists and four bilingual resource

specialists, has also employed one bilingual special day class teacher, three bilingual speech and language specialists, one bilingual severe language disorder teacher, and a bilingual program specialist.

For the 1982-1983 school year three bilingual education interns will be attending the State University to receive their appropriate credentials, as well as intern under district special education teachers, and serve as bilingual resource teachers to our regular bilingual teachers.

There are also several other auxiliary bilingual special education efforts on their way. For example, a district committee of bilingual special education educators are collaborating on developing a bilingual special education assessment battery, and Dr. Stephen Krashen, Professor of Linguistics, USC, is also doing a review of the literature on language delay, and on the limited English proficient child, to determine which language for therapy is most appropriate.

This has been a brief summary of the various activities that ABC Unified School District is conducting in the emerging field of bilingual special education.

APPENDIX D

Parallel of State Requirements on Bilingual and Special Education

Compiled by:

Ms. Maria Vasquez, Consultant
State Department of Education

Bilingual Education (AB 507/80)	Special Education (E.C. Part 30)
Purpose	
To provide equal educational opportunities to all students regardless of their fluency in English, and to enable the sustainment of academic achievement while the student acquires English. This includes at a minimum:	To provide a free appropriate public education (FAPE) to pupils eligible for special education and related services. Such programs shall provide at least:
°Bilingual language opportunities to each student identified as limited-English proficient (LEP).	° Early educational opportunities for children who require intensive special education and services. ° Assessment procedures that are non-discriminatory and on-going evaluation of the student's progress. ° An individualized educational program for any child with exceptional needs. ° Student opportunities to interact with the general school population, as appropriate.
Student Identification	
° Determine, with the Home Language Survey, whether the pupil has a primary language other than English. ° Assess in English, with a state designated oral language proficiency instrument, the student's oral English proficiency.	° Establish a child-find procedure which systematically seeks out individuals with exceptional needs from birth through age 21. ° Initiate a referral process that includes informing parents, teachers, and staff of the availability of special education services for children who need special assistance in order to benefit from the instructional program.

Bilingual Education (AB 507/1980)	Special Education (E.C. Part 30)
Student Identification (cont'd)	
° Assess in English the student's reading and writing proficiencies. English reading and writing assessments are optional for all pupils in grades K-2, and for pupils in in grades 3-12, who are LEP on the basis of oral skills alone.	° Implement a procedure for the individual assessment of students referred for possible Special Education Services.
° Place limited English proficient pupils in the appropriate (a,b,c,d,e,f) bilingual program.	
Assessment/Diagnosis	
° Conduct assessment in the primary language to include comprehension, speaking, reading and writing skills.	° Individual student assessment which includes at least: Testing in all areas related to the suspected disability including, as appropriate: Health and development, vision, hearing, motor abilities, language function, general ability, academic performance, social/emotional status, and career and vocational abilities, and interest; developmental history, tests, and other assessment procedures conducted in the pupil's primary language or mode of communication; tests selected and administered for the purpose for which they were validated. No single test or procedure shall be used as the sole criterion for determining placement.
° Designate the language of basic skills instruction based on the student's relative language proficiency in English and in the primary language.	
° Initial diagnostic assessment shall be completed within 90 days after the pupil's enrollment.	
Student Evaluation Following Initial Placement of Basic Skills	
° Annual assessment shall be conducted in the language designated for basic skills instruction, and in English comprehension and speaking.	° Annual meeting of Individualized Education Program (IEP) team required to review each student's progress, appropriateness of placement, and any necessary revisions.

Bilingual Education (AB 507/80)	Special Education (E.C. Part 30)
Student Evaluation (cont'd)	
	° Pupils placed in a Resource Specialist program for more than one year, who have failed to show anticipated progress, shall receive a health and psychological assessment as early as possible in the second year. ° A comprehensive re-assessment of each student who remains in special education is required every three years or more often when the teacher or the parent requests the assessment.
Placement	
Elementary Bilingual Classroom (Option a, b, c(1), f*) Elementary bilingual program includes instruction delivered by a bilingual cross-cultural teacher and: ° English language development. ° Reading, writing, math and language arts in the primary language, to the extent necessary, to sustain achievement. ° Activities which promote a positive self-image and cross-cultural understanding.	Individualized Education Program The IEP is a written statement developed in a meeting of the individualized education program team. The IEP should include: ° Present levels of the pupil's educational performance. ° Annual goals and short-term instructional objectives. ° Specific special education instruction and related services to be provided. ° Extent of participation in regular education programs. ° Projected initiation date and anticipated duration of program and services. ° Evaluation procedures and schedules for determining, at least on an annual basis, achievement in instructional objectives.

* Program requirements are triggered when there are 10 or more LEP students of the same primary language in a grade (K-6).

Bilingual Education (AB 507/80)	Special Education (E.C. Part 30)
Placement (Cont'd)	
	° Provision for transition into regular class program, when appropiate.
	° For pupils in grades 1 to 6, or pupils of comparable chronological age, academic instruction with application to daily living skills, and occupational awareness.
Elementary Individual Learning Plan (ILP) consists of (f):	
° English language development.	
° Basic skills instruction (language, reading, writing and math) delivered in the designated language of instruction based on the diagnostic assessment.	
° Activities which promote a positive self-image and cross-cultural understanding.	
Secondary Individual Learning Program (ILP) consists of:	
° Instruction of the pupil's primary language for the purpose of sustaining achievement.	
° English language development.	
° Activities which promote a positive self-image and cross-cultural understanding.	
Parent Rights	
° All notes regarding bilingual education are to be sent in writing in the primary language of the pupil and in English.	° All notices, forms, etc. are to be given in the primary language or mode of communication used by the parent in the home.

Bilingual Education (AB 507/80)	Special Education (E.C. Part 30)
Parent Rights (Cont'd)	
° Parents are to be consulted during the student identification process, and informed of the testing results, and during the diagnosis phase, they must have opportunity to contest the accuracy of information.	° Parents must receive the proposed assessment plan and give consent prior to any testing for special education eligibility.
° Prior to enrollment in a bilingual program (options a, b, c, or d), parents of potential participants must be notified. The notification must include: 1) a simple, nontechnical description of the program, 2) an invitation to visit the program, 3) the parents' rights to participate in the school and district bilingual advisory committees, and 4) the parents' request to withdraw their child from the program. Parents who have opted not to participate in the bilingual classroom must have an ILP, consistent with federal provisions (Lau v. Nichols).	° Written explanation of procedural safeguards must be provided to the parent(s) with the assessment plan. ° Parents must receive notification of and be encouraged to participate in an IEP meeting. ° Parents must concur with some or all of the IEP and provide written consent for placement in special education. ° Parents may request a review of the IEP and placement at any time during the year.
Bilingual District Advisory Committee (BDAC)	Community Advisory Committee (CAC)
° Required when there are 51 or more LEP students in the district. Every LEP parent shall be informed about their right to participate in the BDAC.	° Each Special Education Local Plan Area (SELPA) must include a CAC committee representative in the development of the local plan. All parents of children with exceptional needs shall be notified of their opportunity to participate in the CAC.